SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED THIRD GENERAL ASSEMBLY

97TH LEGISLATIVE DAY

THURSDAY, APRIL 11, 2024

1:55 O'CLOCK P.M.

NO. 97
[April 11, 2024]

SENATE
Daily Journal Index
97th Legislative Day

Action	Page(s)
Consideration of Motions in Writing	138, 163
Correction	6
EXECUTIVE SESSION	140
Introduction of Senate Bill No. 3927	6
Legislative Measures Filed	223
Message from the Governor	6
Motion in Writing	106, 140
Report from Assignments Committee	139
Report Received	5
Reports from Standing Committees	5

Bill Number	Legislative Action	Page(s)
SB 0331	Third Reading	53
SB 0461	Recalled - Amendment(s)	54
SB 0461	Third Reading	67
SB 0692	Recalled - Amendment(s)	68
SB 0692	Third Reading	69
SB 0773	Recalled - Amendment(s)	70
SB 0773	Third Reading	76
SB 0914	Recalled - Amendment(s)	77
SB 0914	Third Reading	78
SB 2234	Second Reading	184
SB 2617	Third Reading	79
SB 2625	Second Reading	185
SB 2626	Second Reading	7
SB 2639	Recalled - Amendment(s)	79
SB 2641	Third Reading	84
SB 2654	Third Reading	84
SB 2672	Third Reading	85
SB 2731	Second Reading	25
SB 2737	Third Reading	86
SB 2745	Second Reading	185
SB 2747	Recalled - Amendment(s)	86
SB 2747	Third Reading	90
SB 2751	Recalled - Amendment(s)	90
SB 2751	Third Reading	91
SB 2765	Third Reading	92
SB 2770	Third Reading	93
SB 2781	Third Reading	93
SB 2788	Second Reading	25
SB 2822	Second Reading	27
SB 2862	Third Reading	94
SB 2876	Third Reading	94
SB 2879	Recalled - Amendment(s)	95
SB 2879	Third Reading	95
SB 2907	Third Reading	96
SB 2911	Third Reading	97
SB 2933	Recalled - Amendment(s)	97
SB 2933	Third Reading	98

SB 2938 Recalled - Amendment(s) 98
SB 2938 Third Reading 100
SB 2979 Third Reading 101
SB 3081 Third Reading 101
SB 3130 Second Reading 186
SB 3134 Third Reading 102
SB 3136 Third Reading 103
SB 3137 Third Reading 103
SB 3156 Third Reading 104
SB 3175 Third Reading 104
SB 3203 Recalled - Amendment(s) 105
SB 3203 Third Reading 105
SB 3208 Recalled - Amendment(s) 106
SB 3208 Third Reading 109
SB 3211 Recalled - Amendment(s) 109
SB 3211 Third Reading 110
SB 3285 Third Reading 111
SB 3288 Second Reading 45
SB 3310 Recalled - Amendment(s) 111
SB 3310 Third Reading 112
SB 3318 Third Reading 112
SB 3331 Second Reading 48
SB 3353 Recalled - Amendment(s) 113
SB 3353 Third Reading 114
SB 3359 Second Reading 199
SB 3367 Third Reading 115
SB 3434 Third Reading 127
SB 3455 Recalled - Amendment(s) 116
SB 3455 Third Reading 117
SB 3467 Recalled - Amendment(s) 117
SB 3467 Third Reading 119
SB 3471 Third Reading 120
SB 3501 Recalled - Amendment(s) 120
SB 3501 Third Reading 121
SB 3538 Third Reading 121
SB 3552 Recalled - Amendment(s) 122
SB 3552 Third Reading 126
SB 3558 Third Reading 127
SB 3567 Recalled - Amendment(s) 128
SB 3567 Third Reading 128
SB 3592 Second Reading 48
SB 3597 Recalled - Amendment(s) 129
SB 3597 Third Reading 130
SB 3599 Third Reading 131
SB 3608 Recalled - Amendment(s) 131
SB 3608 Third Reading 132
SB 3615 Recalled - Amendment(s) 133
SB 3615 Third Reading 134
SB 3617 Second Reading 219
SB 3650 Third Reading 135
SB 3678 Third Reading 134
SB 3694 Third Reading 135
SB 3696 Third Reading 136
SB 3732 Second Reading 221
SB 3753 Third Reading 136
SB 3762 Second Reading 50

SB 3767 Recalled - Amendment(s) 137
SB 3767 Third Reading 137
SB 3806 Second Reading 222

The Senate met pursuant to adjournment.
Senator David Koehler, Peoria, Illinois, presiding.
Prayer by Pastor Stephen Lawrence, Exodus Church, Springfield, Illinois.
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Glowiak Hilton moved that reading and approval of the Journal of Wednesday, April 10, 2024, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

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

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

REPORTS FROM STANDING COMMITTEES

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 914
Senate Amendment No. 2 to Senate Bill 2747

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

Senator D. Turner, Chair of the Committee on Agriculture, to which was referred **Senate Joint Resolution No. 50**, reported the same back with the recommendation that the resolution be adopted.
Under the rules, **Senate Joint Resolution No. 50** was placed on the Secretary's Desk.

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

Senate Amendment No. 1 to Senate Bill 772
Senate Amendment No. 2 to Senate Bill 3686

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 Resolution No. 785**, reported the same back with the recommendation that the resolution be adopted.
Under the rules, **Senate Resolution No. 785** was placed on the Secretary's Desk.

Senator Ellman, Chair of the Committee on Environment and Conservation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 3165

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

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred **Appointment Messages Numbered 1030089, 1030103, 1030104, 1030107, 1030127, 1030129, 1030130, 1030131, 1030134, 1030135, 1030138, 1030140, 1030141, 1030142, 1030143, 1030144, 1030146, 1030147, 1030148, 1030149, 1030150, 1030155, 1030156, 1030157, 1030158, 1030159, 1030164, 1030165, 1030166, 1030167, 1030168, 1030169, 1030171, 1030172, 1030173, 1030183 and 1030364**, 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.

INTRODUCTION OF BILL

SENATE BILL NO. 3927. Introduced by Senator Castro, a bill for AN ACT concerning public employee benefits.

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

MESSAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR
207 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706

JB PRITZKER
GOVERNOR

April 11, 2024

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

Re: Withdrawal of the Temporary Appointment of
Michelle Hoy-Watkins as a Member
of the Illinois State Police Merit Board

Dear Secretary Anderson:

Effective immediately, I am withdrawing the Temporary Appointment of Michelle Hoy-Watkins as a Member of the Illinois State Police Merit Board.

Sincerely,
s/JB Pritzker
Governor

cc: Christine Belle, Comptroller - Budget and State Officers Payroll
cc: The Honorable Alexi Giannoulias, Secretary of State

CORRECTION

On February 20, 2024, **Senate Bill No. 3316** was referred to multiple committees, specifically to the Behavioral and Mental Health Committee and then to the Appropriations Committee. After a hearing in the Behavioral and Mental Health Committee, the bill was incorrectly sent to Second Reading on March 6, 2024

instead of to the Appropriations Committee. Therefore, **Senate Bill No. 3316** will be removed from Second Reading and placed into the Appropriations Committee. Any action incorrectly taken in regards to **Senate Bill No. 3316** after March 6, 2024 will be stricken from the record.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Peters, **Senate Bill No. 2626** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2626

AMENDMENT NO. 1 . Amend Senate Bill 2626 on page 10, immediately below line 13, by inserting the following:

"(A-5) In anticipation of the successful completion of a problem-solving court, pre-plea diversion, or post-plea diversion program, a petition for expungement may be filed 61 days or more before the anticipated dismissal of the case. Upon successful completion of the program and dismissal of the case, the court shall review the petition of the person graduating from the program and shall grant expungement if the petitioner meets all requirements as specified in any applicable statute."; and

on page 109, lines 6 and 7, by changing "under item (iii) of subparagraph (B)" to "per subparagraph (A-5)"; and

on page 112, lines 4 and 5, by changing "under item (iii) of subparagraph (B)" to "per subparagraph (A-5)"; and

on page 115, lines 3 and 4, by changing "under item (iii) of subparagraph (B)" to "per subparagraph (A-5)"; and

on page 115, immediately below line 19, by inserting the following:

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

Senator Peters offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2626

AMENDMENT NO. 2 . Amend Senate Bill 2626, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Identification Act is amended by changing Section 5.2 as follows:
(20 ILCS 2630/5.2)
Sec. 5.2. Expungement, sealing, and immediate sealing.
(a) General Provisions.
(1) Definitions. In this Act, words and phrases have the meanings set forth in this subsection, except when a particular context clearly requires a different meaning.
(A) The following terms shall have the meanings ascribed to them in the following Sections of the Unified Code of Corrections:
Business Offense, Section 5-1-2.
Charge, Section 5-1-3.
Court, Section 5-1-6.
Defendant, Section 5-1-7.
Felony, Section 5-1-9.
Imprisonment, Section 5-1-10.
Judgment, Section 5-1-12.

Misdemeanor, Section 5-1-14.
Offense, Section 5-1-15.
Parole, Section 5-1-16.
Petty Offense, Section 5-1-17.
Probation, Section 5-1-18.
Sentence, Section 5-1-19.
Supervision, Section 5-1-21.
Victim, Section 5-1-22.

(B) As used in this Section, "charge not initiated by arrest" means a charge (as defined by Section 5-1-3 of the Unified Code of Corrections) brought against a defendant where the defendant is not arrested prior to or as a direct result of the charge.

(C) "Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury. An order of supervision successfully completed by the petitioner is not a conviction. An order of qualified probation (as defined in subsection (a)(1)(J)) successfully completed by the petitioner is not a conviction. An order of supervision or an order of qualified probation that is terminated unsatisfactorily is a conviction, unless the unsatisfactory termination is reversed, vacated, or modified and the judgment of conviction, if any, is reversed or vacated.

(D) "Criminal offense" means a petty offense, business offense, misdemeanor, felony, or municipal ordinance violation (as defined in subsection (a)(1)(H)). As used in this Section, a minor traffic offense (as defined in subsection (a)(1)(G)) shall not be considered a criminal offense.

(E) "Expunge" means to physically destroy the records or return them to the petitioner and to obliterate the petitioner's name from any official index or public record, or both. Nothing in this Act shall require the physical destruction of the circuit court file, but such records relating to arrests or charges, or both, ordered expunged shall be impounded as required by subsections (d)(9)(A)(ii) and (d)(9)(B)(ii).

(F) As used in this Section, "last sentence" means the sentence, order of supervision, or order of qualified probation (as defined by subsection (a)(1)(J)), for a criminal offense (as defined by subsection (a)(1)(D)) that terminates last in time in any jurisdiction, regardless of whether the petitioner has included the criminal offense for which the sentence or order of supervision or qualified probation was imposed in his or her petition. If multiple sentences, orders of supervision, or orders of qualified probation terminate on the same day and are last in time, they shall be collectively considered the "last sentence" regardless of whether they were ordered to run concurrently.

(G) "Minor traffic offense" means a petty offense, business offense, or Class C misdemeanor under the Illinois Vehicle Code or a similar provision of a municipal or local ordinance.

(G-5) "Minor Cannabis Offense" means a violation of Section 4 or 5 of the Cannabis Control Act concerning not more than 30 grams of any substance containing cannabis, provided the violation did not include a penalty enhancement under Section 7 of the Cannabis Control Act and is not associated with an arrest, conviction or other disposition for a violent crime as defined in subsection (c) of Section 3 of the Rights of Crime Victims and Witnesses Act.

(H) "Municipal ordinance violation" means an offense defined by a municipal or local ordinance that is criminal in nature and with which the petitioner was charged or for which the petitioner was arrested and released without charging.

(I) "Petitioner" means an adult or a minor prosecuted as an adult who has applied for relief under this Section.

(J) "Qualified probation" means an order of probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as those provisions existed before their deletion by Public Act 89-313), Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Substance Use Disorder Act, or Section 10 of the Steroid Control Act. For the purpose of this Section,

"successful completion" of an order of qualified probation under Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act and Section 40-10 of the Substance Use Disorder Act means that the probation was terminated satisfactorily and the judgment of conviction was vacated.

(K) "Seal" means to physically and electronically maintain the records, unless the records would otherwise be destroyed due to age, but to make the records unavailable without a court order, subject to the exceptions in Sections 12 and 13 of this Act. The petitioner's name shall also be obliterated from the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but any index issued by the circuit court clerk before the entry of the order to seal shall not be affected.

(L) "Sexual offense committed against a minor" includes, but is not limited to, the offenses of indecent solicitation of a child or criminal sexual abuse when the victim of such offense is under 18 years of age.

(M) "Terminate" as it relates to a sentence or order of supervision or qualified probation includes either satisfactory or unsatisfactory termination of the sentence, unless otherwise specified in this Section. A sentence is terminated notwithstanding any outstanding financial legal obligation.

(2) Minor Traffic Offenses. Orders of supervision or convictions for minor traffic offenses shall not affect a petitioner's eligibility to expunge or seal records pursuant to this Section.

(2.5) Commencing 180 days after July 29, 2016 (the effective date of Public Act 99-697), the law enforcement agency issuing the citation shall automatically expunge, on or before January 1 and July 1 of each year, the law enforcement records of a person found to have committed a civil law violation of subsection (a) of Section 4 of the Cannabis Control Act or subsection (c) of Section 3.5 of the Drug Paraphernalia Control Act in the law enforcement agency's possession or control and which contains the final satisfactory disposition which pertain to the person issued a citation for that offense. The law enforcement agency shall provide by rule the process for access, review, and to confirm the automatic expungement by the law enforcement agency issuing the citation. Commencing 180 days after July 29, 2016 (the effective date of Public Act 99-697), the clerk of the circuit court shall expunge, upon order of the court, or in the absence of a court order on or before January 1 and July 1 of each year, the court records of a person found in the circuit court to have committed a civil law violation of subsection (a) of Section 4 of the Cannabis Control Act or subsection (c) of Section 3.5 of the Drug Paraphernalia Control Act in the clerk's possession or control and which contains the final satisfactory disposition which pertain to the person issued a citation for any of those offenses.

(3) Exclusions. Except as otherwise provided in subsections (b)(5), (b)(6), (b)(8), (e), (e-5), and (e-6) of this Section, the court shall not order:

(A) the sealing or expungement of the records of arrests or charges not initiated by arrest that result in an order of supervision for or conviction of: (i) any sexual offense committed against a minor; (ii) Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance; or (iii) Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, unless the arrest or charge is for a misdemeanor violation of subsection (a) of Section 11-503 or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance.

(B) the sealing or expungement of records of minor traffic offenses (as defined in subsection (a)(1)(G)), unless the petitioner was arrested and released without charging.

(C) the sealing of the records of arrests or charges not initiated by arrest which result in an order of supervision or a conviction for the following offenses:

(i) offenses included in Article 11 of the Criminal Code of 1961 or the Criminal Code of 2012 or a similar provision of a local ordinance, except Section 11-14 and a misdemeanor violation of Section 11-30 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(ii) Section 11-1.50, 12-3.4, 12-15, 12-30, 26-5, or 48-1 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance;

(iii) Section 12-3.1 or 12-3.2 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 125 of the Stalking No Contact Order Act, or Section 219 of the Civil No Contact Order Act, or a similar provision of a local ordinance;

(iv) Class A misdemeanors or felony offenses under the Humane Care for Animals Act; or

(v) any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act.

(D) (blank).

(b) Expungement.

(1) A petitioner may petition the circuit court to expunge the records of his or her arrests and charges not initiated by arrest when each arrest or charge not initiated by arrest sought to be expunged resulted in: (i) acquittal, dismissal, or the petitioner's release without charging, unless excluded by subsection (a)(3)(B); (ii) a conviction which was vacated or reversed, unless excluded by subsection (a)(3)(B); (iii) an order of supervision and such supervision was successfully completed by the petitioner, unless excluded by subsection (a)(3)(A) or (a)(3)(B); or (iv) an order of qualified probation (as defined in subsection (a)(1)(J)) and such probation was successfully completed by the petitioner.

(1.5) When a petitioner seeks to have a record of arrest expunged under this Section, and the offender has been convicted of a criminal offense, the State's Attorney may object to the expungement on the grounds that the records contain specific relevant information aside from the mere fact of the arrest.

(2) Time frame for filing a petition to expunge.

(A) When the arrest or charge not initiated by arrest sought to be expunged resulted in an acquittal, dismissal, the petitioner's release without charging, or the reversal or vacation of a conviction, there is no waiting period to petition for the expungement of such records.

(A-5) In anticipation of the successful completion of a problem-solving court, pre-plea diversion, or post-plea diversion program, a petition for expungement may be filed 61 days before the anticipated dismissal of the case or any time thereafter. Upon successful completion of the program and dismissal of the case, the court shall review the petition of the person graduating from the program and shall grant expungement if the petitioner meets all requirements as specified in any applicable statute.

(B) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of supervision, successfully completed by the petitioner, the following time frames will apply:

(i) Those arrests or charges that resulted in orders of supervision under Section 3-707, 3-708, 3-710, or 5-401.3 of the Illinois Vehicle Code or a similar provision of a local ordinance, or under Section 11-1.50, 12-3.2, or 12-15 of the Criminal Code of 1961 or the Criminal Code of 2012, or a similar provision of a local ordinance, shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the supervision.

(i-5) Those arrests or charges that resulted in orders of supervision for a misdemeanor violation of subsection (a) of Section 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance, that occurred prior to the offender reaching the age of 25 years and the offender has no other conviction for violating Section 11-501 or 11-503 of the Illinois Vehicle Code or a similar provision of a local ordinance shall not be eligible for expungement until the petitioner has reached the age of 25 years.

(ii) Those arrests or charges that resulted in orders of supervision for any other offenses shall not be eligible for expungement until 2 years have passed following the satisfactory termination of the supervision.

(C) When the arrest or charge not initiated by arrest sought to be expunged resulted in an order of qualified probation, successfully completed by the petitioner, such records shall not be eligible for expungement until 5 years have passed following the satisfactory termination of the probation.

(3) Those records maintained by the Illinois State Police for persons arrested prior to their 17th birthday shall be expunged as provided in Section 5-915 of the Juvenile Court Act of 1987.

(4) Whenever a person has been arrested for or convicted of any offense, in the name of a person whose identity he or she has stolen or otherwise come into possession of, the aggrieved person from whom the identity was stolen or otherwise obtained without authorization, upon learning of the person having been arrested using his or her identity, may, upon verified petition to the chief judge of the circuit wherein the arrest was made, have a court order entered nunc pro tunc by the Chief Judge

to correct the arrest record, conviction record, if any, and all official records of the arresting authority, the Illinois State Police, other criminal justice agencies, the prosecutor, and the trial court concerning such arrest, if any, by removing his or her name from all such records in connection with the arrest and conviction, if any, and by inserting in the records the name of the offender, if known or ascertainable, in lieu of the aggrieved's name. The records of the circuit court clerk shall be sealed until further order of the court upon good cause shown and the name of the aggrieved person obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Nothing in this Section shall limit the Illinois State Police or other criminal justice agencies or prosecutors from listing under an offender's name the false names he or she has used.

(5) Whenever a person has been convicted of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse, the victim of that offense may request that the State's Attorney of the county in which the conviction occurred file a verified petition with the presiding trial judge at the petitioner's trial to have a court order entered to seal the records of the circuit court clerk in connection with the proceedings of the trial court concerning that offense. However, the records of the arresting authority and the Illinois State Police concerning the offense shall not be sealed. The court, upon good cause shown, shall make the records of the circuit court clerk in connection with the proceedings of the trial court concerning the offense available for public inspection.

(6) If a conviction has been set aside on direct review or on collateral attack and the court determines by clear and convincing evidence that the petitioner was factually innocent of the charge, the court that finds the petitioner factually innocent of the charge shall enter an expungement order for the conviction for which the petitioner has been determined to be innocent as provided in subsection (b) of Section 5-5-4 of the Unified Code of Corrections.

(7) Nothing in this Section shall prevent the Illinois State Police from maintaining all records of any person who is admitted to probation upon terms and conditions and who fulfills those terms and conditions pursuant to Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified Code of Corrections, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Substance Use Disorder Act, or Section 10 of the Steroid Control Act.

(8) If the petitioner has been granted a certificate of innocence under Section 2-702 of the Code of Civil Procedure, the court that grants the certificate of innocence shall also enter an order expunging the conviction for which the petitioner has been determined to be innocent as provided in subsection (h) of Section 2-702 of the Code of Civil Procedure.

(c) Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement of criminal records, this subsection authorizes the sealing of criminal records of adults and of minors prosecuted as adults. Subsection (g) of this Section provides for immediate sealing of certain records.

(2) Eligible Records. The following records may be sealed:

(A) All arrests resulting in release without charging;

(B) Arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, except as excluded by subsection (a)(3)(B);

(C) Arrests or charges not initiated by arrest resulting in orders of supervision, including orders of supervision for municipal ordinance violations, successfully completed by the petitioner, unless excluded by subsection (a)(3);

(D) Arrests or charges not initiated by arrest resulting in convictions, including convictions on municipal ordinance violations, unless excluded by subsection (a)(3);

(E) Arrests or charges not initiated by arrest resulting in orders of first offender probation under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, or Section 5-6-3.3 of the Unified Code of Corrections; and

(F) Arrests or charges not initiated by arrest resulting in felony convictions unless otherwise excluded by subsection (a) paragraph (3) of this Section.

(3) When Records Are Eligible to Be Sealed. Records identified as eligible under subsection (c)(2) may be sealed as follows:

(A) Records identified as eligible under subsections (c)(2)(A) and (c)(2)(B) may be sealed at any time.

(B) Except as otherwise provided in subparagraph (E) of this paragraph (3), records identified as eligible under subsection (c)(2)(C) may be sealed 2 years after the termination of petitioner's last sentence (as defined in subsection (a)(1)(F)).

(C) Except as otherwise provided in subparagraph (E) of this paragraph (3), records identified as eligible under subsections (c)(2)(D), (c)(2)(E), and (c)(2)(F) may be sealed 3 years after the termination of the petitioner's last sentence (as defined in subsection (a)(1)(F)). Convictions requiring public registration under the Arsonist Registration Act, the Sex Offender Registration Act, or the Murderer and Violent Offender Against Youth Registration Act may not be sealed until the petitioner is no longer required to register under that relevant Act.

(D) Records identified in subsection (a)(3)(A)(iii) may be sealed after the petitioner has reached the age of 25 years.

(E) Records identified as eligible under subsection (c)(2)(C), (c)(2)(D), (c)(2)(E), or (c)(2)(F) may be sealed upon termination of the petitioner's last sentence if the petitioner earned a high school diploma, associate's degree, career certificate, vocational technical certification, or bachelor's degree, or passed the high school level Test of General Educational Development, during the period of his or her sentence or mandatory supervised release. This subparagraph shall apply only to a petitioner who has not completed the same educational goal prior to the period of his or her sentence or mandatory supervised release. If a petition for sealing eligible records filed under this subparagraph is denied by the court, the time periods under subparagraph (B) or (C) shall apply to any subsequent petition for sealing filed by the petitioner.

(4) Subsequent felony convictions. A person may not have subsequent felony conviction records sealed as provided in this subsection (c) if he or she is convicted of any felony offense after the date of the sealing of prior felony convictions as provided in this subsection (c). The court may, upon conviction for a subsequent felony offense, order the unsealing of prior felony conviction records previously ordered sealed by the court.

(5) Notice of eligibility for sealing. Upon entry of a disposition for an eligible record under this subsection (c), the petitioner shall be informed by the court of the right to have the records sealed and the procedures for the sealing of the records.

(d) Procedure. The following procedures apply to expungement under subsections (b), (e), and (e-6) and sealing under subsections (c) and (e-5):

(1) Filing the petition. Upon becoming eligible to petition for the expungement or sealing of records under this Section, the petitioner shall file a petition requesting the expungement or sealing of records with the clerk of the court where the arrests occurred or the charges were brought, or both. If arrests occurred or charges were brought in multiple jurisdictions, a petition must be filed in each such jurisdiction. The petitioner shall pay the applicable fee, except no fee shall be required if the petitioner has obtained a court order waiving fees under Supreme Court Rule 298 or it is otherwise waived.

(1.5) County fee waiver pilot program. From August 9, 2019 (the effective date of Public Act 101-306) through December 31, 2020, in a county of 3,000,000 or more inhabitants, no fee shall be required to be paid by a petitioner if the records sought to be expunged or sealed were arrests resulting in release without charging or arrests or charges not initiated by arrest resulting in acquittal, dismissal, or conviction when the conviction was reversed or vacated, unless excluded by subsection (a)(3)(B). The provisions of this paragraph (1.5), other than this sentence, are inoperative on and after January 1, 2022.

(2) Contents of petition. The petition shall be verified and shall contain the petitioner's name, date of birth, current address and, for each arrest or charge not initiated by arrest sought to be sealed or expunged, the case number, the date of arrest (if any), the identity of the arresting authority, and such other information as the court may require. During the pendency of the proceeding, the petitioner shall promptly notify the circuit court clerk of any change of his or her address. If the petitioner has received a certificate of eligibility for sealing from the Prisoner Review Board under paragraph (10)

of subsection (a) of Section 3-3-2 of the Unified Code of Corrections, the certificate shall be attached to the petition.

(3) Drug test. The petitioner must attach to the petition proof that the petitioner has taken within 30 days before the filing of the petition a test showing the absence within his or her body of all illegal substances as defined by the Illinois Controlled Substances Act and the Methamphetamine Control and Community Protection Act if he or she is petitioning to:

(A) seal felony records under clause (c)(2)(E);

(B) seal felony records for a violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act under clause (c)(2)(F);

(C) seal felony records under subsection (e-5); or

(D) expunge felony records of a qualified probation under clause (b)(1)(iv).

(4) Service of petition. The circuit court clerk shall promptly serve a copy of the petition and documentation to support the petition under subsection (e-5) or (e-6) on the State's Attorney or prosecutor charged with the duty of prosecuting the offense, the Illinois State Police, the arresting agency and the chief legal officer of the unit of local government effecting the arrest.

(5) Objections.

(A) Any party entitled to notice of the petition may file an objection to the petition. All objections shall be in writing, shall be filed with the circuit court clerk, and shall state with specificity the basis of the objection. Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, an objection to the petition may not be filed.

(B) Objections to a petition to expunge or seal must be filed within 60 days of the date of service of the petition.

(6) Entry of order.

(A) The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, if any, shall rule on the petition to expunge or seal as set forth in this subsection (d)(6).

(B) Unless the State's Attorney or prosecutor, the Illinois State Police, the arresting agency, or the chief legal officer files an objection to the petition to expunge or seal within 60 days from the date of service of the petition, the court shall enter an order granting or denying the petition.

(C) Notwithstanding any other provision of law, the court shall not deny a petition for sealing under this Section because the petitioner has not satisfied an outstanding legal financial obligation established, imposed, or originated by a court, law enforcement agency, or a municipal, State, county, or other unit of local government, including, but not limited to, any cost, assessment, fine, or fee. An outstanding legal financial obligation does not include any court ordered restitution to a victim under Section 5-5-6 of the Unified Code of Corrections, unless the restitution has been converted to a civil judgment. Nothing in this subparagraph (C) waives, rescinds, or abrogates a legal financial obligation or otherwise eliminates or affects the right of the holder of any financial obligation to pursue collection under applicable federal, State, or local law.

(D) Notwithstanding any other provision of law, the court shall not deny a petition to expunge or seal under this Section because the petitioner has submitted a drug test taken within 30 days before the filing of the petition to expunge or seal that indicates a positive test for the presence of cannabis within the petitioner's body. In this subparagraph (D), "cannabis" has the meaning ascribed to it in Section 3 of the Cannabis Control Act.

(7) Hearings. If an objection is filed, the court shall set a date for a hearing and notify the petitioner and all parties entitled to notice of the petition of the hearing date at least 30 days prior to the hearing. Prior to the hearing, the State's Attorney shall consult with the Illinois State Police as to the appropriateness of the relief sought in the petition to expunge or seal. At the hearing, the court shall hear evidence on whether the petition should or should not be granted, and shall grant or deny the petition to expunge or seal the records based on the evidence presented at the hearing. The court may consider the following:

(A) the strength of the evidence supporting the defendant's conviction;

(B) the reasons for retention of the conviction records by the State;

(C) the petitioner's age, criminal record history, and employment history;

(D) the period of time between the petitioner's arrest on the charge resulting in the conviction and the filing of the petition under this Section; and

(E) the specific adverse consequences the petitioner may be subject to if the petition is denied.

(8) Service of order. After entering an order to expunge or seal records, the court must provide copies of the order to the Illinois State Police, in a form and manner prescribed by the Illinois State Police, to the petitioner, to the State's Attorney or prosecutor charged with the duty of prosecuting the offense, to the arresting agency, to the chief legal officer of the unit of local government effecting the arrest, and to such other criminal justice agencies as may be ordered by the court.

(9) Implementation of order.

(A) Upon entry of an order to expunge records pursuant to subsection (b)(2)(A) or (b)(2)(B)(ii), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency, the Illinois State Police, and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order; and

(iii) in response to an inquiry for expunged records, the court, the Illinois State Police, or the agency receiving such inquiry, shall reply as it does in response to inquiries when no records ever existed.

(B) Upon entry of an order to expunge records pursuant to subsection (b)(2)(B)(i) or (b)(2)(C), or both:

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Illinois State Police within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed pursuant to paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Illinois State Police may be disseminated by the Illinois State Police only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for such records from anyone not authorized by law to access such records, the court, the Illinois State Police, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(B-5) Upon entry of an order to expunge records under subsection (e-6):

(i) the records shall be expunged (as defined in subsection (a)(1)(E)) by the arresting agency and any other agency as ordered by the court, within 60 days of the date of service of the order, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(ii) the records of the circuit court clerk shall be impounded until further order of the court upon good cause shown and the name of the petitioner obliterated on the official

index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act, but the order shall not affect any index issued by the circuit court clerk before the entry of the order;

(iii) the records shall be impounded by the Illinois State Police within 60 days of the date of service of the order as ordered by the court, unless a motion to vacate, modify, or reconsider the order is filed under paragraph (12) of subsection (d) of this Section;

(iv) records impounded by the Illinois State Police may be disseminated by the Illinois State Police only as required by law or to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or a similar offense or for the purpose of sentencing for any subsequent felony, and to the Department of Corrections upon conviction for any offense; and

(v) in response to an inquiry for these records from anyone not authorized by law to access the records, the court, the Illinois State Police, or the agency receiving the inquiry shall reply as it does in response to inquiries when no records ever existed.

(C) Upon entry of an order to seal records under subsection (c), the arresting agency, any other agency as ordered by the court, the Illinois State Police, and the court shall seal the records (as defined in subsection (a)(1)(K)). In response to an inquiry for such records, from anyone not authorized by law to access such records, the court, the Illinois State Police, or the agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed.

(D) The Illinois State Police shall send written notice to the petitioner of its compliance with each order to expunge or seal records within 60 days of the date of service of that order or, if a motion to vacate, modify, or reconsider is filed, within 60 days of service of the order resolving the motion, if that order requires the Illinois State Police to expunge or seal records. In the event of an appeal from the circuit court order, the Illinois State Police shall send written notice to the petitioner of its compliance with an Appellate Court or Supreme Court judgment to expunge or seal records within 60 days of the issuance of the court's mandate. The notice is not required while any motion to vacate, modify, or reconsider, or any appeal or petition for discretionary appellate review, is pending.

(E) Upon motion, the court may order that a sealed judgment or other court record necessary to demonstrate the amount of any legal financial obligation due and owing be made available for the limited purpose of collecting any legal financial obligations owed by the petitioner that were established, imposed, or originated in the criminal proceeding for which those records have been sealed. The records made available under this subparagraph (E) shall not be entered into the official index required to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act and shall be immediately re-impounded upon the collection of the outstanding financial obligations.

(F) Notwithstanding any other provision of this Section, a circuit court clerk may access a sealed record for the limited purpose of collecting payment for any legal financial obligations that were established, imposed, or originated in the criminal proceedings for which those records have been sealed.

(10) Fees. The Illinois State Police may charge the petitioner a fee equivalent to the cost of processing any order to expunge or seal records. Notwithstanding any provision of the Clerks of Courts Act to the contrary, the circuit court clerk may charge a fee equivalent to the cost associated with the sealing or expungement of records by the circuit court clerk. From the total filing fee collected for the petition to seal or expunge, the circuit court clerk shall deposit $10 into the Circuit Court Clerk Operation and Administrative Fund, to be used to offset the costs incurred by the circuit court clerk in performing the additional duties required to serve the petition to seal or expunge on all parties. The circuit court clerk shall collect and remit the Illinois State Police portion of the fee to the State Treasurer and it shall be deposited in the State Police Services Fund. If the record brought under an expungement petition was previously sealed under this Section, the fee for the expungement petition for that same record shall be waived.

(11) Final Order. No court order issued under the expungement or sealing provisions of this Section shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to notice of the petition.

(12) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner or any party entitled to notice may file a motion to vacate, modify, or reconsider the order granting or denying the petition to expunge or seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply with subsection (c) of Section 2-1401 of the Code of Civil Procedure. Upon filing of a motion to vacate, modify, or reconsider, notice of the motion shall be served upon the petitioner and all parties entitled to notice of the petition.

(13) Effect of Order. An order granting a petition under the expungement or sealing provisions of this Section shall not be considered void because it fails to comply with the provisions of this Section or because of any error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable and to vacate, modify, or reconsider its terms based on a motion filed under paragraph (12) of this subsection (d).

(14) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to seal, all parties entitled to notice of the petition must fully comply with the terms of the order within 60 days of service of the order even if a party is seeking relief from the order through a motion filed under paragraph (12) of this subsection (d) or is appealing the order.

(15) Compliance with Order Granting Petition to Expunge Records. While a party is seeking relief from the order granting the petition to expunge through a motion filed under paragraph (12) of this subsection (d) or is appealing the order, and unless a court has entered a stay of that order, the parties entitled to notice of the petition must seal, but need not expunge, the records until there is a final order on the motion for relief or, in the case of an appeal, the issuance of that court's mandate.

(16) The changes to this subsection (d) made by Public Act 98-163 apply to all petitions pending on August 5, 2013 (the effective date of Public Act 98-163) and to all orders ruling on a petition to expunge or seal on or after August 5, 2013 (the effective date of Public Act 98-163).

(e) Whenever a person who has been convicted of an offense is granted a pardon by the Governor which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Illinois State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been pardoned but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Illinois State Police may be disseminated by the Illinois State Police only to the arresting authority, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Illinois State Police pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was pardoned.

(e-5) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for sealing by the Prisoner Review Board which specifically authorizes sealing, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered sealing the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Illinois State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Illinois State Police may be disseminated by the Illinois State Police only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all sealed records of the Illinois State Police pertaining to that individual.

Upon entry of the order of sealing, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for sealing.

(e-6) Whenever a person who has been convicted of an offense is granted a certificate of eligibility for expungement by the Prisoner Review Board which specifically authorizes expungement, he or she may, upon verified petition to the Chief Judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Illinois State Police be sealed until further order of the court upon good cause shown or as otherwise provided herein, and the name of the petitioner obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which he or she had been granted the certificate but the order shall not affect any index issued by the circuit court clerk before the entry of the order. All records sealed by the Illinois State Police may be disseminated by the Illinois State Police only as required by this Act or to the arresting authority, a law enforcement agency, the State's Attorney, and the court upon a later arrest for the same or similar offense or for the purpose of sentencing for any subsequent felony. Upon conviction for any subsequent offense, the Department of Corrections shall have access to all expunged records of the Illinois State Police pertaining to that individual. Upon entry of the order of expungement, the circuit court clerk shall promptly mail a copy of the order to the person who was granted the certificate of eligibility for expungement.

(f) Subject to available funding, the Illinois Department of Corrections shall conduct a study of the impact of sealing, especially on employment and recidivism rates, utilizing a random sample of those who apply for the sealing of their criminal records under Public Act 93-211. At the request of the Illinois Department of Corrections, records of the Illinois Department of Employment Security shall be utilized as appropriate to assist in the study. The study shall not disclose any data in a manner that would allow the identification of any particular individual or employing unit. The study shall be made available to the General Assembly no later than September 1, 2010.

(g) Immediate Sealing.

(1) Applicability. Notwithstanding any other provision of this Act to the contrary, and cumulative with any rights to expungement or sealing of criminal records, this subsection authorizes the immediate sealing of criminal records of adults and of minors prosecuted as adults.

(2) Eligible Records. Arrests or charges not initiated by arrest resulting in acquittal or dismissal with prejudice, except as excluded by subsection (a)(3)(B), that occur on or after January 1, 2018 (the effective date of Public Act 100-282), may be sealed immediately if the petition is filed with the circuit court clerk on the same day and during the same hearing in which the case is disposed.

(3) When Records are Eligible to be Immediately Sealed. Eligible records under paragraph (2) of this subsection (g) may be sealed immediately after entry of the final disposition of a case, notwithstanding the disposition of other charges in the same case.

(4) Notice of Eligibility for Immediate Sealing. Upon entry of a disposition for an eligible record under this subsection (g), the defendant shall be informed by the court of his or her right to have eligible records immediately sealed and the procedure for the immediate sealing of these records.

(5) Procedure. The following procedures apply to immediate sealing under this subsection (g).

(A) Filing the Petition. Upon entry of the final disposition of the case, the defendant's attorney may immediately petition the court, on behalf of the defendant, for immediate sealing of eligible records under paragraph (2) of this subsection (g) that are entered on or after January 1, 2018 (the effective date of Public Act 100-282). The immediate sealing petition may be filed with the circuit court clerk during the hearing in which the final disposition of the case is entered. If the defendant's attorney does not file the petition for immediate sealing during the hearing, the defendant may file a petition for sealing at any time as authorized under subsection (c)(3)(A).

(B) Contents of Petition. The immediate sealing petition shall be verified and shall contain the petitioner's name, date of birth, current address, and for each eligible record, the case number, the date of arrest if applicable, the identity of the arresting authority if applicable, and other information as the court may require.

(C) Drug Test. The petitioner shall not be required to attach proof that he or she has passed a drug test.

(D) Service of Petition. A copy of the petition shall be served on the State's Attorney in open court. The petitioner shall not be required to serve a copy of the petition on any other agency.

(E) Entry of Order. The presiding trial judge shall enter an order granting or denying the petition for immediate sealing during the hearing in which it is filed. Petitions for immediate sealing shall be ruled on in the same hearing in which the final disposition of the case is entered.

(F) Hearings. The court shall hear the petition for immediate sealing on the same day and during the same hearing in which the disposition is rendered.

(G) Service of Order. An order to immediately seal eligible records shall be served in conformance with subsection (d)(8).

(H) Implementation of Order. An order to immediately seal records shall be implemented in conformance with subsections (d)(9)(C) and (d)(9)(D).

(I) Fees. The fee imposed by the circuit court clerk and the Illinois State Police shall comply with paragraph (1) of subsection (d) of this Section.

(J) Final Order. No court order issued under this subsection (g) shall become final for purposes of appeal until 30 days after service of the order on the petitioner and all parties entitled to service of the order in conformance with subsection (d)(8).

(K) Motion to Vacate, Modify, or Reconsider. Under Section 2-1203 of the Code of Civil Procedure, the petitioner, State's Attorney, or the Illinois State Police may file a motion to vacate, modify, or reconsider the order denying the petition to immediately seal within 60 days of service of the order. If filed more than 60 days after service of the order, a petition to vacate, modify, or reconsider shall comply with subsection (c) of Section 2-1401 of the Code of Civil Procedure.

(L) Effect of Order. An order granting an immediate sealing petition shall not be considered void because it fails to comply with the provisions of this Section or because of an error asserted in a motion to vacate, modify, or reconsider. The circuit court retains jurisdiction to determine whether the order is voidable, and to vacate, modify, or reconsider its terms based on a motion filed under subparagraph (L) of this subsection (g).

(M) Compliance with Order Granting Petition to Seal Records. Unless a court has entered a stay of an order granting a petition to immediately seal, all parties entitled to service of the order must fully comply with the terms of the order within 60 days of service of the order.

(h) Sealing or vacation and expungement of trafficking victims' crimes.

(1) A trafficking victim, as defined by paragraph (10) of subsection (a) of Section 10-9 of the Criminal Code of 2012, may petition for vacation and expungement or immediate sealing of his or her criminal record upon the completion of his or her last sentence if his or her participation in the underlying offense was a result of human trafficking under Section 10-9 of the Criminal Code of 2012 or a severe form of trafficking under the federal Trafficking Victims Protection Act.

(1.5) A petition under paragraph (1) shall be prepared, signed, and filed in accordance with Supreme Court Rule 9. The court may allow the petitioner to attend any required hearing remotely in accordance with local rules. The court may allow a petition to be filed under seal if the public filing of the petition would constitute a risk of harm to the petitioner.

(2) A petitioner under this subsection (h), in addition to the requirements provided under paragraph (4) of subsection (d) of this Section, shall include in his or her petition a clear and concise statement that: (A) he or she was a victim of human trafficking at the time of the offense; and (B) that his or her participation in the offense was a result of human trafficking under Section 10-9 of the Criminal Code of 2012 or a severe form of trafficking under the federal Trafficking Victims Protection Act.

(3) If an objection is filed alleging that the petitioner is not entitled to vacation and expungement or immediate sealing under this subsection (h), the court shall conduct a hearing under paragraph (7) of subsection (d) of this Section and the court shall determine whether the petitioner is entitled to vacation and expungement or immediate sealing under this subsection (h). A petitioner is eligible for vacation and expungement or immediate relief under this subsection (h) if he or she shows, by a preponderance of the evidence, that: (A) he or she was a victim of human trafficking at the time of the offense; and (B) that his or her participation in the offense was a result of human

trafficking under Section 10-9 of the Criminal Code of 2012 or a severe form of trafficking under the federal Trafficking Victims Protection Act.

(i) Minor Cannabis Offenses under the Cannabis Control Act.

(1) Expungement of Arrest Records of Minor Cannabis Offenses.

(A) The Illinois State Police and all law enforcement agencies within the State shall automatically expunge all criminal history records of an arrest, charge not initiated by arrest, order of supervision, or order of qualified probation for a Minor Cannabis Offense committed prior to June 25, 2019 (the effective date of Public Act 101-27) if:

(i) One year or more has elapsed since the date of the arrest or law enforcement interaction documented in the records; and

(ii) No criminal charges were filed relating to the arrest or law enforcement interaction or criminal charges were filed and subsequently dismissed or vacated or the arrestee was acquitted.

(B) If the law enforcement agency is unable to verify satisfaction of condition (ii) in paragraph (A), records that satisfy condition (i) in paragraph (A) shall be automatically expunged.

(C) Records shall be expunged by the law enforcement agency under the following timelines:

(i) Records created prior to June 25, 2019 (the effective date of Public Act 101-27), but on or after January 1, 2013, shall be automatically expunged prior to January 1, 2021;

(ii) Records created prior to January 1, 2013, but on or after January 1, 2000, shall be automatically expunged prior to January 1, 2023;

(iii) Records created prior to January 1, 2000 shall be automatically expunged prior to January 1, 2025.

In response to an inquiry for expunged records, the law enforcement agency receiving such inquiry shall reply as it does in response to inquiries when no records ever existed; however, it shall provide a certificate of disposition or confirmation that the record was expunged to the individual whose record was expunged if such a record exists.

(D) Nothing in this Section shall be construed to restrict or modify an individual's right to have that individual's records expunged except as otherwise may be provided in this Act, or diminish or abrogate any rights or remedies otherwise available to the individual.

(2) Pardons Authorizing Expungement of Minor Cannabis Offenses.

(A) Upon June 25, 2019 (the effective date of Public Act 101-27), the Department of State Police shall review all criminal history record information and identify all records that meet all of the following criteria:

(i) one or more convictions for a Minor Cannabis Offense;

(ii) the conviction identified in paragraph (2)(A)(i) did not include a penalty enhancement under Section 7 of the Cannabis Control Act; and

(iii) the conviction identified in paragraph (2)(A)(i) is not associated with a conviction for a violent crime as defined in subsection (c) of Section 3 of the Rights of Crime Victims and Witnesses Act.

(B) Within 180 days after June 25, 2019 (the effective date of Public Act 101-27), the Department of State Police shall notify the Prisoner Review Board of all such records that meet the criteria established in paragraph (2)(A).

(i) The Prisoner Review Board shall notify the State's Attorney of the county of conviction of each record identified by State Police in paragraph (2)(A) that is classified as a Class 4 felony. The State's Attorney may provide a written objection to the Prisoner Review Board on the sole basis that the record identified does not meet the criteria established in paragraph (2)(A). Such an objection must be filed within 60 days or by such later date set by the Prisoner Review Board in the notice after the State's Attorney received notice from the Prisoner Review Board.

(ii) In response to a written objection from a State's Attorney, the Prisoner Review Board is authorized to conduct a non-public hearing to evaluate the information provided in the objection.

(iii) The Prisoner Review Board shall make a confidential and privileged recommendation to the Governor as to whether to grant a pardon authorizing

expungement for each of the records identified by the Department of State Police as described in paragraph (2)(A).

(C) If an individual has been granted a pardon authorizing expungement as described in this Section, the Prisoner Review Board, through the Attorney General, shall file a petition for expungement with the Chief Judge of the circuit or any judge of the circuit designated by the Chief Judge where the individual had been convicted. Such petition may include more than one individual. Whenever an individual who has been convicted of an offense is granted a pardon by the Governor that specifically authorizes expungement, an objection to the petition may not be filed. Petitions to expunge under this subsection (i) may include more than one individual. Within 90 days of the filing of such a petition, the court shall enter an order expunging the records of arrest from the official records of the arresting authority and order that the records of the circuit court clerk and the Illinois State Police be expunged and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk under Section 16 of the Clerks of Courts Act in connection with the arrest and conviction for the offense for which the individual had received a pardon but the order shall not affect any index issued by the circuit court clerk before the entry of the order. Upon entry of the order of expungement, the circuit court clerk shall promptly provide a copy of the order and a certificate of disposition to the individual who was pardoned to the individual's last known address or by electronic means (if available) or otherwise make it available to the individual upon request.

(D) Nothing in this Section is intended to diminish or abrogate any rights or remedies otherwise available to the individual.

(3) Any individual may file a motion to vacate and expunge a conviction for a misdemeanor or Class 4 felony violation of Section 4 or Section 5 of the Cannabis Control Act. Motions to vacate and expunge under this subsection (i) may be filed with the circuit court, Chief Judge of a judicial circuit or any judge of the circuit designated by the Chief Judge. The circuit court clerk shall promptly serve a copy of the motion to vacate and expunge, and any supporting documentation, on the State's Attorney or prosecutor charged with the duty of prosecuting the offense. When considering such a motion to vacate and expunge, a court shall consider the following: the reasons to retain the records provided by law enforcement, the petitioner's age, the petitioner's age at the time of offense, the time since the conviction, and the specific adverse consequences if denied. An individual may file such a petition after the completion of any non-financial sentence or non-financial condition imposed by the conviction. Within 60 days of the filing of such motion, a State's Attorney may file an objection to such a petition along with supporting evidence. If a motion to vacate and expunge is granted, the records shall be expunged in accordance with subparagraphs (d)(8) and (d)(9)(A) of this Section. An agency providing civil legal aid, as defined by Section 15 of the Public Interest Attorney Assistance Act, assisting individuals seeking to file a motion to vacate and expunge under this subsection may file motions to vacate and expunge with the Chief Judge of a judicial circuit or any judge of the circuit designated by the Chief Judge, and the motion may include more than one individual. Motions filed by an agency providing civil legal aid concerning more than one individual may be prepared, presented, and signed electronically.

(4) Any State's Attorney may file a motion to vacate and expunge a conviction for a misdemeanor or Class 4 felony violation of Section 4 or Section 5 of the Cannabis Control Act. Motions to vacate and expunge under this subsection (i) may be filed with the circuit court, Chief Judge of a judicial circuit or any judge of the circuit designated by the Chief Judge, and may include more than one individual. Motions filed by a State's Attorney concerning more than one individual may be prepared, presented, and signed electronically. When considering such a motion to vacate and expunge, a court shall consider the following: the reasons to retain the records provided by law enforcement, the individual's age, the individual's age at the time of offense, the time since the conviction, and the specific adverse consequences if denied. Upon entry of an order granting a motion to vacate and expunge records pursuant to this Section, the State's Attorney shall notify the Prisoner Review Board within 30 days. Upon entry of the order of expungement, the circuit court clerk shall promptly provide a copy of the order and a certificate of disposition to the individual whose records will be expunged to the individual's last known address or by electronic means (if available) or otherwise make available to the individual upon request. If a motion to vacate and expunge is granted, the records shall be expunged in accordance with subparagraphs (d)(8) and (d)(9)(A) of this Section.

(5) In the public interest, the State's Attorney of a county has standing to file motions to vacate and expunge pursuant to this Section in the circuit court with jurisdiction over the underlying conviction.

(6) If a person is arrested for a Minor Cannabis Offense as defined in this Section before June 25, 2019 (the effective date of Public Act 101-27) and the person's case is still pending but a sentence has not been imposed, the person may petition the court in which the charges are pending for an order to summarily dismiss those charges against him or her, and expunge all official records of his or her arrest, plea, trial, conviction, incarceration, supervision, or expungement. If the court determines, upon review, that: (A) the person was arrested before June 25, 2019 (the effective date of Public Act 101-27) for an offense that has been made eligible for expungement; (B) the case is pending at the time; and (C) the person has not been sentenced of the minor cannabis violation eligible for expungement under this subsection, the court shall consider the following: the reasons to retain the records provided by law enforcement, the petitioner's age, the petitioner's age at the time of offense, the time since the conviction, and the specific adverse consequences if denied. If a motion to dismiss and expunge is granted, the records shall be expunged in accordance with subparagraph (d)(9)(A) of this Section.

(7) A person imprisoned solely as a result of one or more convictions for Minor Cannabis Offenses under this subsection (i) shall be released from incarceration upon the issuance of an order under this subsection.

(8) The Illinois State Police shall allow a person to use the access and review process, established in the Illinois State Police, for verifying that his or her records relating to Minor Cannabis Offenses of the Cannabis Control Act eligible under this Section have been expunged.

(9) No conviction vacated pursuant to this Section shall serve as the basis for damages for time unjustly served as provided in the Court of Claims Act.

(10) Effect of Expungement. A person's right to expunge an expungeable offense shall not be limited under this Section. The effect of an order of expungement shall be to restore the person to the status he or she occupied before the arrest, charge, or conviction.

(11) Information. The Illinois State Police shall post general information on its website about the expungement process described in this subsection (i).

(j) Felony Prostitution Convictions.

(1) Any individual may file a motion to vacate and expunge a conviction for a prior Class 4 felony violation of prostitution. Motions to vacate and expunge under this subsection (j) may be filed with the circuit court, Chief Judge of a judicial circuit, or any judge of the circuit designated by the Chief Judge. When considering the motion to vacate and expunge, a court shall consider the following:

(A) the reasons to retain the records provided by law enforcement;

(B) the petitioner's age;

(C) the petitioner's age at the time of offense; and

(D) the time since the conviction, and the specific adverse consequences if denied. An individual may file the petition after the completion of any sentence or condition imposed by the conviction. Within 60 days of the filing of the motion, a State's Attorney may file an objection to the petition along with supporting evidence. If a motion to vacate and expunge is granted, the records shall be expunged in accordance with subparagraph (d)(9)(A) of this Section. An agency providing civil legal aid, as defined in Section 15 of the Public Interest Attorney Assistance Act, assisting individuals seeking to file a motion to vacate and expunge under this subsection may file motions to vacate and expunge with the Chief Judge of a judicial circuit or any judge of the circuit designated by the Chief Judge, and the motion may include more than one individual.

(2) Any State's Attorney may file a motion to vacate and expunge a conviction for a Class 4 felony violation of prostitution. Motions to vacate and expunge under this subsection (j) may be filed with the circuit court, Chief Judge of a judicial circuit, or any judge of the circuit court designated by the Chief Judge, and may include more than one individual. When considering the motion to vacate and expunge, a court shall consider the following reasons:

(A) the reasons to retain the records provided by law enforcement;

(B) the petitioner's age;

(C) the petitioner's age at the time of offense;

(D) the time since the conviction; and

(E) the specific adverse consequences if denied.

If the State's Attorney files a motion to vacate and expunge records for felony prostitution convictions pursuant to this Section, the State's Attorney shall notify the Prisoner Review Board within 30 days of the filing. If a motion to vacate and expunge is granted, the records shall be expunged in accordance with subparagraph (d)(9)(A) of this Section.

(3) In the public interest, the State's Attorney of a county has standing to file motions to vacate and expunge pursuant to this Section in the circuit court with jurisdiction over the underlying conviction.

(4) The Illinois State Police shall allow a person to a use the access and review process, established in the Illinois State Police, for verifying that his or her records relating to felony prostitution eligible under this Section have been expunged.

(5) No conviction vacated pursuant to this Section shall serve as the basis for damages for time unjustly served as provided in the Court of Claims Act.

(6) Effect of Expungement. A person's right to expunge an expungeable offense shall not be limited under this Section. The effect of an order of expungement shall be to restore the person to the status he or she occupied before the arrest, charge, or conviction.

(7) Information. The Illinois State Police shall post general information on its website about the expungement process described in this subsection (j).

(Source: P.A. 102-145, eff. 7-23-21; 102-558, 8-20-21; 102-639, eff. 8-27-21; 102-813, eff. 5-13-22; 102-933, eff. 1-1-23; 103-35, eff. 1-1-24; 103-154, eff. 6-30-23.)

Section 10. The Drug Court Treatment Act is amended by changing Section 35 as follows:

(730 ILCS 166/35)

Sec. 35. Violation; termination; dismissal from program.

(a) If the court finds from the evidence presented, including, but not limited to, the reports or proffers of proof from the drug court professionals, that: (1) the participant is not complying with the requirements of the treatment program; or (2) the participant has otherwise violated the terms and conditions of the program, the court may impose reasonable sanctions under the prior written agreement of the participant, including, but not limited to, imprisonment or dismissal of the participant from the program, and the court may reinstate criminal proceedings against the participant or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-5) Based on the evidence presented, the court shall determine whether the participant has violated the conditions of the program and whether the participant should be dismissed from the program or whether, pursuant to the court's policies and procedures, some other alternative may be appropriate in the interests of the participant and the public.

(a-10) A participant who is assigned to a substance use disorder treatment program under this Act for an opioid use disorder is not in violation of the terms or conditions of the program on the basis of participation in medication-assisted treatment under the care of a physician licensed in this State to practice medicine in all of its branches.

(a-15) A participant may voluntarily withdraw from the drug court program in accordance with the drug court program's policies and procedures. Prior to allowing the participant to withdraw, the judge shall:

(1) ensure that the participant has the right to consult with counsel prior to withdrawal;

(2) determine in open court that the withdrawal is made voluntarily and knowingly; and

(3) admonish the participant in open court as to the consequences, actual or potential, which can result from withdrawal.

Upon withdrawal, the criminal proceedings may be reinstated against the participant or proceedings may be initiated under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-20) No participant may be dismissed from the program unless, prior to dismissal, the participant is informed in writing:

(1) of the reason or reasons for the dismissal;

(2) the evidentiary basis supporting the reason or reasons for the dismissal; and

(3) that the participant has a right to a hearing at which the participant may present evidence supporting the participant's continuation in the program.

(a-25) A participant who has not violated the conditions of the program in such a way as to warrant unsuccessful dismissal, but who is unable to complete program requirements to qualify for a successful discharge, may be terminated from the program as a neutral discharge.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the participant or successfully terminate the participant's sentence or otherwise discharge the participant from any further proceedings against the participant in the original prosecution.

(c) Upon successful completion of the terms and conditions of the program, any State's Attorney in the county of conviction, participant, or defense attorney may move to vacate any convictions that are eligible for sealing under the Criminal Identification Act. A participant may ~~immediately~~ file a petition to expunge ~~vacated convictions and~~ the associated ~~underlying~~ records pursuant to ~~per~~ the Criminal Identification Act, including filing a petition in advance of anticipated vacatur and dismissal. If the State's Attorney moves to vacate a conviction, the State's Attorney may not object to expungement of that conviction or the underlying record.

(d) The drug court program may maintain or collaborate with a network of legal aid organizations that specialize in conviction relief to support participants navigating the expungement and sealing process.
(Source: P.A. 102-1041, eff. 6-2-22.)

Section 15. The Veterans and Servicemembers Court Treatment Act is amended by changing Section 35 as follows:

(730 ILCS 167/35)

Sec. 35. Violation; termination; dismissal from the program.

(a) If the court finds from the evidence presented, including, but not limited to, the reports or proffers of proof from the veterans and servicemembers court professionals, that: (1) the participant is not complying with the requirements of the treatment program; or (2) the participant has otherwise violated the terms and conditions of the program, the court may impose reasonable sanctions under the prior written agreement of the participant, including, but not limited to, imprisonment or dismissal of the participant from the program and the court may reinstate criminal proceedings against the participant or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-5) Based on the evidence presented, the court shall determine whether the participant has violated the conditions of the program and whether the participant should be dismissed from the program or whether, pursuant to the court's policies and procedures, some other alternative may be appropriate in the interests of the participant and the public.

(a-10) A participant who is assigned to a substance use disorder treatment program under this Act for an opioid use disorder is not in violation of the terms or conditions of the program on the basis of participation in medication-assisted treatment under the care of a physician licensed in this State to practice medicine in all of its branches.

(a-15) A participant may voluntarily withdraw from the veterans and servicemembers court program in accordance with the program's policies and procedures. Prior to allowing the participant to withdraw, the judge shall:

(1) ensure that the participant has the right to consult with counsel prior to withdrawal;

(2) determine in open court that the withdrawal is made voluntarily and knowingly; and

(3) admonish the participant in open court as to the consequences, actual or potential, which can result from withdrawal.

Upon withdrawal, the criminal proceedings may be reinstated against the participant or proceedings may be initiated under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-20) A participant who has not violated the conditions of the program in such a way as to warrant unsuccessful dismissal, but who is unable to complete program requirements to qualify for a successful discharge, may be terminated from the program as a neutral discharge.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the participant or successfully terminate the participant's sentence or otherwise discharge the participant from any further proceedings against the participant in the original prosecution.

(c) Upon successful completion of the terms and conditions of the program, any State's Attorney in the county of conviction, a participant, or defense attorney may move to vacate any convictions that are eligible for sealing under the Criminal Identification Act. A participant may ~~immediately~~ file a petition to expunge ~~vacated convictions and~~ the associated ~~underlying~~ records pursuant to ~~per~~ the Criminal

Identification Act, including filing a petition in advance of anticipated vacatur and dismissal. If the State's Attorney moves to vacate a conviction, the State's Attorney may not object to expungement of that conviction or the underlying record.

(d) Veterans and servicemembers court programs may maintain or collaborate with a network of legal aid organizations that specialize in conviction relief to support participants navigating the expungement and sealing process.

(Source: P.A. 102-1041, eff. 6-2-22.)

Section 20. The Mental Health Court Treatment Act is amended by changing Section 35 as follows:

(730 ILCS 168/35)

Sec. 35. Violation; termination; dismissal from program.

(a) If the court finds from the evidence presented, including, but not limited to, the reports or proffers of proof from the mental health court professionals, that: (1) the participant is not complying with the requirements of the treatment program; or (2) the participant has otherwise violated the terms and conditions of the program, the court may impose reasonable sanctions under the prior written agreement of the participant, including, but not limited to, imprisonment or dismissal of the defendant from the program and the court may reinstate criminal proceedings against the participant or proceed under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-5) Based on the evidence presented, the court shall determine whether the participant has violated the conditions of the program and whether the participant should be dismissed from the program or whether, pursuant to the court's policies and procedures, some other alternative may be appropriate in the interests of the participant and the public.

(a-10) A participant may voluntarily withdraw from the mental health court program in accordance with the mental health court program's policies and procedures. Prior to allowing the participant to withdraw, the judge shall:

(1) ensure that the participant has the right to consult with counsel prior to withdrawal;

(2) determine in open court that the withdrawal is made voluntarily and knowingly; and

(3) admonish the participant in open court, as to the consequences, actual or potential, which can result from withdrawal.

Upon withdrawal, the criminal proceedings may be reinstated against the participant or proceedings may be initiated under Section 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

(a-15) No participant may be dismissed from the program unless, prior to such dismissal, the participant is informed in writing: (i) of the reason or reasons for the dismissal; (ii) the evidentiary basis supporting the reason or reasons for the dismissal; (iii) that the participant has a right to a hearing at which he or she may present evidence supporting his or her continuation in the program.

(a-20) A participant who has not violated the conditions of the program in such a way as to warrant unsuccessful dismissal, but who is unable to complete program requirements to qualify for a successful discharge, may be terminated from the program as a neutral discharge.

(b) Upon successful completion of the terms and conditions of the program, the court may dismiss the original charges against the participant or successfully terminate the participant's sentence or otherwise discharge the participant from the program or from any further proceedings against the participant in the original prosecution.

(c) Upon successful completion of the terms and conditions of the program, any State's Attorney in the county of conviction, a participant, or defense attorney may move to vacate any convictions that are eligible for sealing under the Criminal Identification Act. A participant may ~~immediately~~ file a petition to expunge ~~vacated convictions and~~ the associated ~~underlying~~ records pursuant to ~~per~~ the Criminal Identification Act, including filing a petition in advance of anticipated vacatur and dismissal. If the State's Attorney moves to vacate a conviction, the State's Attorney may not object to expungement of that conviction or the underlying record.

(d) The mental health court program may maintain or collaborate with a network of legal aid organizations that specialize in conviction relief to support participants navigating the expungement and sealing process.

(Source: P.A. 102-1041, eff. 6-2-22.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Glowiak Hilton, **Senate Bill No. 2731** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2731

AMENDMENT NO. 1 . Amend Senate Bill 2731 on page 32, by replacing lines 17 through 19 with the following:

"be served by (i) ~~personal delivery or~~ certified mail to the applicant's or licensee's address of record or (ii) sending a copy by email to the applicant's or licensee's email address of record if the applicant or licensee designated an email address of record where the applicant or licensee may receive electronic service for administrative proceedings.".

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

AMENDMENT NO. 2 TO SENATE BILL 2731

AMENDMENT NO. 2 . Amend Senate Bill 2731 on page 11, by replacing lines 15 through 26 with the following:

"(c) No license shall be issued to a business, the stated purpose of which includes or which practices or which holds itself out as available to practice genetic counseling, unless it is organized under the Professional Service Corporation Act or the Professional Limited Liability Company Act. ~~No association or partnership shall practice genetic counseling unless every member, partner, and employee of the association or partnership who practices genetic counseling or who renders genetic counseling services holds a valid license issued under this Act. No license shall be issued to a corporation, the stated purpose of which includes or which practices or which holds itself out as available to practice genetic counseling, unless it is organized under the Professional Service Corporation Act.~~

(c-1) Except as provided in Section 15, no business organized under the Professional Service Corporation Act may practice genetic counseling unless every owner, manager, and employee of the professional services corporation who renders genetic counseling services has received specialized training in genetic counseling and holds a valid license issued under this Act.

(c-2) Except as provided in Section 15, no business organized under the Professional Limited Liability Company Act shall practice genetic counseling unless every member, manager, and employee of the professional limited liability company who renders genetic counseling services has received specialized training in genetic counseling and holds a valid license issued under this Act. A person who is not licensed under this Act may be a member of such a professional limited liability company if the member does not engage in the practice of genetic counseling or render genetic counseling services.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Edly-Allen, **Senate Bill No. 2788** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2788

AMENDMENT NO. 1 . Amend Senate Bill 2788 by replacing everything after the enacting clause with the following:

"Section 5. The Abused and Neglected Child Reporting Act is amended by changing Sections 7 and 8.6 as follows:

(325 ILCS 5/7) (from Ch. 23, par. 2057)

Sec. 7. Time and manner of making reports. All reports of suspected child abuse or neglect made under this Act shall be made immediately by telephone to the central register established under Section 7.7 on the single, State-wide, toll-free telephone number established in Section 7.6, or in person or by telephone through the nearest Department office. The Department shall, in cooperation with school officials, distribute appropriate materials in school buildings listing the toll-free telephone number established in Section 7.6, including methods of making a report under this Act. The Department may, in cooperation with appropriate members of the clergy, distribute appropriate materials in churches, synagogues, temples, mosques, or other religious buildings listing the toll-free telephone number established in Section 7.6, including methods of making a report under this Act.

Wherever the Statewide number is posted, there shall also be posted the following notice:

"Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 2012. A violation of this subsection is a Class 4 felony."

The report required by this Act shall include, if known, the name and address of the child and the child's parents or other persons having the child's custody; the child's age; the nature of the child's condition, including any evidence of previous injuries or disabilities; and any other information that the person filing the report believes might be helpful in establishing the cause of such abuse or neglect and the identity of the person believed to have caused such abuse or neglect. Reports made to the central register through the State-wide, toll-free telephone number shall be immediately transmitted by the Department to the appropriate Child Protective Service Unit. All such reports alleging the death of a child, serious injury to a child, including, but not limited to, brain damage, skull fractures, subdural hematomas, and internal injuries, torture of a child, malnutrition of a child, and sexual abuse to a child, including, but not limited to, sexual intercourse, sexual exploitation, sexual molestation, and sexually transmitted disease in a child age 12 and under, shall also be immediately transmitted by the Department to the appropriate local law enforcement agency. The Department shall within 24 hours orally notify local law enforcement personnel and the office of the State's Attorney of the involved county of the receipt of any report alleging the death of a child, serious injury to a child, including, but not limited to, brain damage, skull fractures, subdural hematomas, and internal injuries, torture of a child, malnutrition of a child, and sexual abuse to a child, including, but not limited to, sexual intercourse, sexual exploitation, sexual molestation, and sexually transmitted disease in a child age 12 and under. All oral reports made by the Department to local law enforcement personnel and the office of the State's Attorney of the involved county shall be confirmed in writing within 24 hours of the oral report. ~~All reports by persons mandated to report under this Act shall be confirmed in writing to the appropriate Child Protective Service Unit, which may be on forms supplied by the Department, within 48 hours of any initial report.~~

Any report received by the Department alleging the abuse or neglect of a child by a person who is not the child's parent, a member of the child's immediate family, a person responsible for the child's welfare, an individual residing in the same home as the child, or a paramour of the child's parent shall immediately be referred to the appropriate local law enforcement agency for consideration of criminal investigation or other action.

Written confirmation reports from persons not required to report by this Act may be made to the appropriate Child Protective Service Unit. Written reports from persons required by this Act to report shall be admissible in evidence in any judicial proceeding or administrative hearing relating to child abuse or neglect. Reports involving known or suspected child abuse or neglect in public or private residential agencies or institutions shall be made and received in the same manner as all other reports made under this Act.

For purposes of this Section, "child" includes an adult resident as defined in this Act.

(Source: P.A. 102-558, eff. 8-20-21; 103-22, eff. 8-8-23.)

(325 ILCS 5/8.6)

Sec. 8.6. Reports to a child's school. Within 10 days after completing an investigation of alleged physical or sexual abuse under this Act, if the report is indicated, the Child Protective Service Unit shall send a copy of its final finding report to the school that the child, who is the indicated victim of child abuse, ~~the report~~ attends. During ~~If the final finding report is sent during~~ the summer when the school is not in

session, the report shall be sent to the last school that the child attended. The final finding report shall be sent as "confidential", and the school shall be responsible for ensuring that the report remains confidential in accordance with the Illinois School Student Records Act. If an indicated finding is overturned in an appeal or hearing, ~~or if the Department has made a determination that the child is no longer at risk of physical or sexual harm,~~ the Department shall request that the final finding report be purged from the student's record, and the school shall purge the final finding report from the student's record. The final finding report shall provide the date of expungement ~~and return the report to the Department. If an indicated report is expunged~~ from the central register, ~~and that report has been sent to a child's school, the Department shall request that the final finding report be purged from the student's record,~~ and the school shall purge the final finding report from the student's record in accordance with the Illinois School Student Records Act ~~and return the report to the Department~~.
(Source: P.A. 92-295, eff. 1-1-02.)".

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 Morrison, **Senate Bill No. 2822** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Licensed Activities.

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

AMENDMENT NO. 2 TO SENATE BILL 2822

AMENDMENT NO. 2 . Amend Senate Bill 2822 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Sections 4, 8.1, 17, 19.2, and 45 as follows:

(225 ILCS 25/4)

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

Sec. 4. Definitions. As used in this Act:

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

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

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

"Board" means the Board of Dentistry.

"Dentist" means a person who has received a general license pursuant to paragraph (a) of Section 11 of this Act and who may perform any intraoral and extraoral procedure required in the practice of dentistry and to whom is reserved the responsibilities specified in Section 17.

"Dental hygienist" means a person who holds a license under this Act to perform dental services as authorized by Section 18.

"Dental assistant" means an appropriately trained person who, under the supervision of a dentist, provides dental services as authorized by Section 17.

"Expanded function dental assistant" means a dental assistant who has completed the training required by Section 17.1 of this Act.

"Dental laboratory" means a person, firm, or corporation which:

(i) engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues; and

(ii) utilizes or employs a dental technician to provide such services; and

(iii) performs such functions only for a dentist or dentists.

"Supervision" means supervision of a dental hygienist or a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the

work performed by the dental hygienist or dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

"General supervision" means supervision of a dental hygienist requiring that the patient be a patient of record, that the dentist examine the patient in accordance with Section 18 prior to treatment by the dental hygienist, and that the dentist authorize the procedures which are being carried out by a notation in the patient's record, but not requiring that a dentist be present when the authorized procedures are being performed. The issuance of a prescription to a dental laboratory by a dentist does not constitute general supervision.

"Public member" means a person who is not a health professional. For purposes of board membership, any person with a significant financial interest in a health service or profession is not a public member.

"Dentistry" means the healing art which is concerned with the examination, diagnosis, treatment planning, and care of conditions within the human oral cavity and its adjacent tissues and structures, as further specified in Section 17.

"Branches of dentistry" means the various specialties of dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, oral and maxillofacial radiology, and dental anesthesiology.

"Specialist" means a dentist who has received a specialty license pursuant to Section 11(b).

"Dental technician" means a person who owns, operates, or is employed by a dental laboratory and engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

"Nurse" means a registered professional nurse, a certified registered nurse anesthetist licensed as an advanced practice registered nurse, or a licensed practical nurse licensed under the Nurse Practice Act.

"Patient of record" means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed an examination and evaluated the condition to be treated.

"Dental responder" means a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support Foundation.

"Mobile dental van or portable dental unit" means any self-contained or portable dental unit in which dentistry is practiced that can be moved, towed, or transported from one location to another in order to establish a location where dental services can be provided.

"Public health dental hygienist" means a hygienist who holds a valid license to practice in the State, has 2 years of full-time clinical experience or an equivalent of 4,000 hours of clinical experience, and has completed at least 42 clock hours of additional structured courses in dental education in advanced areas specific to public health dentistry.

"Public health setting" means a federally qualified health center; a federal, State, or local public health facility; Head Start; a special supplemental nutrition program for Women, Infants, and Children (WIC) facility; a certified school-based health center or school-based oral health program; a prison; or a long-term care facility.

"Public health supervision" means the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients, without a dentist first examining the patient and being present in the facility during treatment, (1) who are eligible for Medicaid or (2) who are uninsured or whose household income is not greater than 300% of the federal poverty level.

"Teledentistry" means the use of telehealth systems and methodologies in dentistry and includes patient care and education delivery using synchronous and asynchronous communications under a dentist's authority as provided under this Act.

"Moderate sedation" means a drug-induced depression of consciousness during which: (1) patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation; (2) no interventions are required to maintain a patient's airway and spontaneous ventilation is adequate; and (3) cardiovascular function is usually maintained.

"Deep sedation" means a drug-induced depression of consciousness during which: (1) patients cannot be easily aroused, but respond purposefully following repeated or painful stimulation; (2) the ability to independently maintain ventilatory function may be impaired; (3) patients may require assistance in maintaining airways and spontaneous ventilation may be inadequate; and (4) cardiovascular function is usually maintained.

"General anesthesia" means a drug-induced loss of consciousness during which: (1) patients are not arousable, even by painful stimulation; (2) the ability to independently maintain ventilatory function is often impaired; (3) patients often require assistance in maintaining airways and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function; and (4) cardiovascular function may be impaired.

"Enteral route of administration" means administration of a drug that is absorbed through the gastrointestinal tract or through oral, rectal, or sublingual mucosa.

"Parenteral route of administration" means administration of a drug by which the drug bypasses the gastrointestinal tract through intramuscular, intravenous, intranasal, submucosal, subcutaneous, or intraosseous methods.

(Source: P.A. 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; revised 12-15-23.)

(225 ILCS 25/8.1) (from Ch. 111, par. 2308.1)

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

Sec. 8.1. Permit for the administration of anesthesia and sedation.

(a) No licensed dentist shall administer general anesthesia, deep sedation, or moderate ~~conscious~~ sedation without first applying for and obtaining a permit for such purpose from the Department. The Department shall issue such permit only after ascertaining that the applicant possesses the minimum qualifications necessary to protect public safety. A person with a dental degree who administers anesthesia, deep sedation, or moderate ~~conscious~~ sedation in an approved hospital training program under the supervision of either a licensed dentist holding such permit or a physician licensed to practice medicine in all its branches shall not be required to obtain such permit.

(b) The minimum requirements for a permit to administer moderate sedation issued after the effective date of this amendatory Act of the 103rd General Assembly shall include the completion of a minimum of 75 hours of didactic and supervised clinical study in either:

(1) an American Dental Association Commission on Dental Accreditation accredited dental specialty program, general practice residency, or advanced education in general dentistry residency that includes training and documentation in moderate sedation techniques appropriate for each specialty or an American Dental Association Commission on Dental Accreditation accredited dental anesthesiology residency program and proof of completion of up to 20 sedation cases; or

(2) a structured course of study provided by an approved continuing education provider that includes training and documentation in moderate sedation, physical evaluation, venipuncture, advanced airway management, technical administration, recognition and management of complications and emergencies and monitoring with additional supervised experience and documentation demonstrating competence in providing moderate sedation to 20 individual patient experiences utilizing enteral and parenteral routes of administration of drugs to competency, over a continuous time frame as set by the Department and as provided in the American Dental Association's Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students.

(b-5) The minimum requirements for a permit to administer deep sedation and general anesthesia issued after the effective date of this amendatory Act of the 103rd General Assembly shall include:

(1) the completion of a minimum of 2 years of advanced training in anesthesiology beyond the pre-doctoral level in a training program approved by the American Dental Association's Council on Dental Education and Licensure, as outlined in Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students, as published by the American Dental Association's Council on Dental Education and Licensure;

(2) a specialty license in oral and maxillofacial surgery;

(3) completion of an accredited oral or maxillofacial surgery residency program; or

(4) the completion of an American Dental Association Commission on Dental Accreditation accredited dental anesthesiology residency program.

(b-10) The Department may establish, by rule, additional training programs and training requirements consistent with this Section to ensure patient safety in dental offices administering anesthesia, which shall include, but not be limited to the following ~~In determining the minimum permit qualifications that are necessary to protect public safety, the Department, by rule, shall~~:

(1) (blank); ~~establish the minimum educational and training requirements necessary for a dentist to be issued an appropriate permit;~~

(2) establish the standards for properly equipped dental facilities (other than licensed hospitals and ambulatory surgical treatment centers) in which general anesthesia, deep sedation, or moderate ~~conscious~~ sedation is administered, as necessary to protect public safety;

(3) establish minimum requirements for all persons who assist the dentist in the administration of general anesthesia, deep sedation, or moderate ~~conscious~~ sedation, including minimum training requirements for each member of the dental team, monitoring requirements, recordkeeping requirements, and emergency procedures;

(4) ensure that the dentist has completed and maintains current certification in advanced cardiac life support or pediatric advanced life support and all persons assisting the dentist or monitoring the administration of general anesthesia, deep sedation, or moderate ~~conscious~~ sedation maintain current certification in Basic Life Support (BLS); and

(5) establish continuing education requirements in sedation techniques and airway management for dentists who possess a permit under this Section.

The Department shall adopt rules that ensure that a continuing education course designed to meet the permit requirements for moderate sedation training is reviewed and certified by the Department if the course is not affiliated with the American Dental Association Commission on Dental Accreditation.

When establishing requirements under this Section, the Department shall consider the current American Dental Association guidelines on sedation and general anesthesia, the current "Guidelines for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic Procedures" established by the American Academy of Pediatrics and the American Academy of Pediatric Dentistry, and the current parameters of care and Office Anesthesia Evaluation (OAE) Manual established by the American Association of Oral and Maxillofacial Surgeons.

(c) A licensed dentist must hold an appropriate permit issued under this Section in order to perform dentistry while a nurse anesthetist administers moderate ~~conscious~~ sedation, and a valid written collaborative agreement must exist between the dentist and the nurse anesthetist, in accordance with the Nurse Practice Act.

A licensed dentist must hold an appropriate permit issued under this Section in order to perform dentistry while a nurse anesthetist administers deep sedation or general anesthesia, and a valid written collaborative agreement must exist between the dentist and the nurse anesthetist, in accordance with the Nurse Practice Act.

For the purposes of this subsection (c), "nurse anesthetist" means a licensed certified registered nurse anesthetist who holds a license as an advanced practice registered nurse.

(Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18; 101-162, eff. 7-26-19.)

(225 ILCS 25/17)

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

Sec. 17. Acts constituting the practice of dentistry. A person practices dentistry, within the meaning of this Act:

(1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums, or jaw; or

(2) Who is a manager, proprietor, operator, or conductor of a business where dental operations are performed; or

(3) Who performs dental operations of any kind; or

(4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or

(5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or

(6) Who offers or undertakes, by any means or method, to diagnose, treat, or remove stains, calculus, and bonding materials from human teeth or jaws; or

(7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

(8) Who takes material or digital scans for final impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth, or associated tissues by means of a filling, a crown, a bridge, a denture, or other appliance; or

(9) Who offers to furnish, supply, construct, reproduce, or repair, or who furnishes, supplies, constructs, reproduces, or repairs, prosthetic dentures, bridges, or other substitutes for natural teeth, to the user or prospective user thereof; or

(10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or

(11) Who takes material or digital scans for final impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials. A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

(i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

(ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist. In addition, after being authorized by a dentist, a dental assistant may, for the purpose of eliminating pain or discomfort, remove loose, broken, or irritating orthodontic appliances on a patient of record.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. "Dental service", however, shall not include:

(1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations and placing, packing, and

finishing composite restorations by dental assistants who have had additional formal education and certification.

A dental assistant may place, carve, and finish amalgam restorations, place, pack, and finish composite restorations, and place interim restorations if he or she (A) has successfully completed a structured training program as described in item (2) of subsection (g) provided by an educational institution accredited by the Commission on Dental Accreditation, such as a dental school or dental hygiene or dental assistant program, or (B) has at least 4,000 hours of direct clinical patient care experience and has successfully completed a structured training program as described in item (2) of subsection (g) provided by a statewide dental association, approved by the Department to provide continuing education, that has developed and conducted training programs for expanded functions for dental assistants or hygienists. The training program must: (i) include a minimum of 16 hours of didactic study and 14 hours of clinical manikin instruction; all training programs shall include areas of study in nomenclature, caries classifications, oral anatomy, periodontium, basic occlusion, instrumentations, pulp protection liners and bases, dental materials, matrix and wedge techniques, amalgam placement and carving, rubber dam clamp placement, and rubber dam placement and removal; (ii) include an outcome assessment examination that demonstrates competency; (iii) require the supervising dentist to observe and approve the completion of 8 amalgam or composite restorations; and (iv) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing and dental sealant course prior to taking the amalgam and composite restoration course.

A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations or for placing, packing, and finishing composite restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for monitoring of nitrous oxide, moderate ~~conscious~~ sedation, deep sedation, and general anesthetic as provided in Section 8.1 of this Act, that may be performed only after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of material or digital scans for final impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

In addition to coronal polishing and pit and fissure sealants as described in this item (7), a dental assistant who has at least 2,000 hours of direct clinical patient care experience and who has successfully completed a structured training program provided by (1) an educational institution including, but not limited to, a dental school or dental hygiene or dental assistant program, (2) a continuing education provider approved by the Department, or (3) a statewide dental or dental hygienist association that has developed and conducted a training program for expanded functions for dental assistants or hygienists may perform: (A) coronal scaling above the gum line, supragingivally, on the clinical crown of the tooth only on patients 17 years of age or younger who have an absence of periodontal disease and who are not medically compromised or individuals with special needs and (B) intracoronal temporization of a tooth. The training program must: (I) include a minimum of 32 hours of instruction in both didactic and clinical manikin or human subject instruction; all training programs shall include areas of

study in dental anatomy, public health dentistry, medical history, dental emergencies, and managing the pediatric patient; (II) include an outcome assessment examination that demonstrates competency; (III) require the supervising dentist to observe and approve the completion of 6 full mouth supragingival scaling procedures unless the training was received as part of a Commission on Dental Accreditation approved dental assistant program; and (IV) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing course prior to taking the coronal scaling course. A dental assistant performing these functions shall be limited to the use of hand instruments only. In addition, coronal scaling as described in this paragraph shall only be utilized on patients who are eligible for Medicaid, who are uninsured, or whose household income is not greater than 300% of the federal poverty level. A dentist may not supervise more than 2 dental assistants at any one time for the task of coronal scaling. This paragraph is inoperative on and after January 1, 2026.

The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this paragraph (g) mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist; or

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e) of Section 9 of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c) of Section 11 of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 102-558, eff. 8-20-21; 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; revised 12-15-23.)

(225 ILCS 25/19.2)

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

Sec. 19.2. Temporary permit for free dental care.

(a) Upon Board recommendation, the Department may issue a temporary permit authorizing the practice in this State, without compensation, of dentistry to an applicant who is licensed to practice dentistry in another state, if all of the following apply:

(1) the Department determines that the applicant's services will improve the welfare of Illinois residents who are eligible for Medicaid or who are uninsured and whose household income is not greater than 200% of the federal poverty level;

(2) the applicant has graduated from a dental program approved by the American Dental Association's Commission on Dental Accreditation and maintains an equivalent authorization to practice dentistry in good standing in his or her native licensing jurisdiction during the period of the temporary visiting dentist permit and can furnish the Department a certified letter upon request from

that jurisdiction attesting to the fact that the applicant has no pending action or violations against his or her license;

(3) the applicant has received an invitation to perform dental care by a charitable organization or has received an invitation to study or receive training on specific dental or clinical subjects or techniques by a licensed continuing education sponsor who is approved by the Department to provide clinical training in the State of Illinois on patients for the welfare of Illinois residents pursuant to subsection (a-5) and is in compliance with the provisions of this Act;

(4) the applicant will be working pursuant to a collaborative agreement with and under the direct supervision of an Illinois licensed dentist, who is in good standing, during the duration of the program. The supervising dentist must be physically present during all clinical training courses; and

(5) payment of a fee established by rule.

The Department may adopt rules to implement this subsection.

(a-5) Upon Board recommendation, after the filing of an application, the Department may allow approved continuing education sponsors to be licensed to provide live patient continuing education clinical training courses if the following requirements are met:

(1) the continuing education course provides services, without compensation, that will improve the welfare of Illinois residents as described in paragraph (1) of subsection (a). The application to the Board must include the following information for review and approval by the Department:

(i) a plan of follow-up care and training models;

(ii) any and all documentation to be signed by the patients, including, but not limited to, waivers, consent forms, and releases;

(iii) information related to the facilities being utilized, staffing plans, and emergency plans;

(iv) the process by which patients will be contacted before, during, and after treatment;

(v) the intended population that will be receiving treatment; and

(vi) proof of valid malpractice insurance for the approved continuing education sponsor that extends coverage to clinical staff, trainees, and out-of-state permit holders that meet the requirements of subsection (a);

(2) a valid written collaborative agreement must exist between the temporary visiting dentist and the Illinois licensed dentist co-treating patients under this Section. The collaborative agreement must include a description of the care to be provided and procedures to be performed by the temporary visiting dentist. There shall be no more than 5 trainees per supervising dentist. A copy of this agreement shall become part of the patient's dental record and shall be made available upon request to the Department; and

(3) payment of a fee established by rule.

A continuing education sponsor license issued under this Section shall be valid for a period of time as provided by rule.

The Department shall adopt rules to implement this subsection.

(b) (Blank).

(c) A temporary permit shall be valid for no longer than 5 consecutive clinical days within 6 months from the date of issuance. The temporary permit may be issued once per year to a visiting dentist. Temporary permits under subsection (a) may be restored no more than one time within 5 years of the initial permits issuance. The Department may require an applicant to pay a fee for the issuance or restoration of a permit under this Section.

(d) (Blank).

(e) The temporary permit shall only permit the holder to practice dentistry within the scope of the dental studies and in conjunction with one of the following:

(1) the charitable organization; or

(2) a continuing education program provided by a continuing education sponsor approved by the Department pursuant to this Section that the permit holder is attending.

(f) The temporary visiting dentist may not administer moderate ~~conscious~~ sedation, deep sedation, or general anesthesia.

(g) A patient who seeks treatment from a temporary visiting dentist must sign a consent form acknowledging that the care the patient will receive will be provided by a dentist not licensed in the State of Illinois and that the Illinois licensed dentist who has the collaborative agreement with the temporary visiting dentist will be responsible for all the follow-up care associated with the treatment rendered to the patient.

(h) An application for the temporary permit shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by a nonrefundable fee established by rule.

(i) An applicant for a temporary permit may be requested to appear before the Board to respond to questions concerning the applicant's qualifications to receive the permit. An applicant's refusal to appear before the Board may be grounds for denial of the application by the Department.

(j) The Secretary may summarily cancel any permit or license issued pursuant to this Section without a hearing if the Secretary finds that evidence in his or her possession indicates that a continuing education sponsor licensed under this Section or a temporary permit holder's continuation in practice would constitute an imminent danger to the public or violate any provision of this Act or its rules. If the Secretary summarily cancels a permit or license issued pursuant to this Section, the permit holder or licensee may petition the Department for a hearing in accordance with the provisions of subsection (b) of Section 26 of this Act to reinstate his or her permit or license.

(k) In addition to terminating any permit or license issued pursuant to this Section, the Department may impose a monetary penalty not to exceed $10,000 upon the temporary permit holder or licensee and may notify any state in which the temporary permit holder or licensee has been issued a license that his or her Illinois permit or license has been terminated and the reasons for the termination. The monetary penalty shall be paid within 60 days after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit or license issued pursuant to this Section shall be considered a privilege and not a property right.

(Source: P.A. 102-582, eff. 1-1-22.)

(225 ILCS 25/45) (from Ch. 111, par. 2345)

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

Sec. 45. Advertising. The purpose of this Section is to authorize and regulate the advertisement by dentists of information which is intended to provide the public with a sufficient basis upon which to make an informed selection of dentists while protecting the public from false or misleading advertisements which would detract from the fair and rational selection process.

Any dentist may advertise the availability of dental services in the public media or on the premises where such dental services are rendered. Such advertising shall be limited to the following information:

(a) The dental services available;

(b) Publication of the dentist's name, title, office hours, address and telephone;

(c) Information pertaining to his or her area of specialization, including appropriate board certification or limitation of professional practice;

(d) Information on usual and customary fees for routine dental services offered, which information shall include notification that fees may be adjusted due to complications or unforeseen circumstances;

(e) Announcement of the opening of, change of, absence from, or return to business;

(f) Announcement of additions to or deletions from professional dental staff;

(g) The issuance of business or appointment cards;

(h) Other information about the dentist, dentist's practice or the types of dental services which the dentist offers to perform which a reasonable person might regard as relevant in determining whether to seek the dentist's services. However, any advertisement which announces the availability of endodontics, pediatric dentistry, periodontics, prosthodontics, orthodontics and dentofacial orthopedics, oral and maxillofacial surgery, or oral and maxillofacial radiology by a general dentist or by a licensed specialist who is not licensed in that specialty shall include a disclaimer stating that the dentist does not hold a license in that specialty.

Any dental practice with more than one location that enrolls its dentist as a participating provider in a managed care plan's network must verify electronically or in writing to the managed care plan whether the provider is accepting new patients at each of the specific locations listing the provider. The health plan shall remove the provider from the directory in accordance with standard practices within 10 business days after being notified of the changes by the provider. Nothing in this paragraph shall void any contractual relationship between the provider and the plan.

It is unlawful for any dentist licensed under this Act to do any of the following:

(1) Use claims of superior quality of care to entice the public.

(2) Advertise in any way to practice dentistry without causing pain.

(3) Pay a fee to any dental referral service or other third party who advertises a dental referral service, unless all advertising of the dental referral service makes it clear that dentists are paying a fee for that referral service.

(4) Advertise or offer gifts as an inducement to secure dental patronage. Dentists may advertise or offer free examinations or free dental services; it shall be unlawful, however, for any dentist to charge a fee to any new patient for any dental service provided at the time that such free examination or free dental services are provided.

(5) Use the term "sedation dentistry" or similar terms in advertising unless the advertising dentist holds a valid and current permit issued by the Department to administer either general anesthesia, deep sedation, or moderate ~~conscious~~ sedation as required under Section 8.1 of this Act.

This Act does not authorize the advertising of dental services when the offeror of such services is not a dentist. Nor shall the dentist use statements which contain false, fraudulent, deceptive or misleading material or guarantees of success, statements which play upon the vanity or fears of the public, or statements which promote or produce unfair competition.

A dentist shall be required to keep a copy of all advertisements for a period of 3 years. All advertisements in the dentist's possession shall indicate the accurate date and place of publication.

The Department shall adopt rules to carry out the intent of this Section.

(Source: P.A. 99-329, eff. 1-1-16.)

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

Floor Amendment No. 3 was held in the Committee on Licensed Activities.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 2822

AMENDMENT NO. 4 . Amend Senate Bill 2822, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Dental Practice Act is amended by changing Sections 4, 8.1, 17, 19.2, and 45 as follows:

(225 ILCS 25/4)

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

Sec. 4. Definitions. As used in this Act:

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

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

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

"Board" means the Board of Dentistry.

"Dentist" means a person who has received a general license pursuant to paragraph (a) of Section 11 of this Act and who may perform any intraoral and extraoral procedure required in the practice of dentistry and to whom is reserved the responsibilities specified in Section 17.

"Dental hygienist" means a person who holds a license under this Act to perform dental services as authorized by Section 18.

"Dental assistant" means an appropriately trained person who, under the supervision of a dentist, provides dental services as authorized by Section 17.

"Expanded function dental assistant" means a dental assistant who has completed the training required by Section 17.1 of this Act.

"Dental laboratory" means a person, firm, or corporation which:

(i) engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues; and

(ii) utilizes or employs a dental technician to provide such services; and

(iii) performs such functions only for a dentist or dentists.

"Supervision" means supervision of a dental hygienist or a dental assistant requiring that a dentist authorize the procedure, remain in the dental facility while the procedure is performed, and approve the work performed by the dental hygienist or dental assistant before dismissal of the patient, but does not mean that the dentist must be present at all times in the treatment room.

"General supervision" means supervision of a dental hygienist requiring that the patient be a patient of record, that the dentist examine the patient in accordance with Section 18 prior to treatment by the dental hygienist, and that the dentist authorize the procedures which are being carried out by a notation in the patient's record, but not requiring that a dentist be present when the authorized procedures are being performed. The issuance of a prescription to a dental laboratory by a dentist does not constitute general supervision.

"Public member" means a person who is not a health professional. For purposes of board membership, any person with a significant financial interest in a health service or profession is not a public member.

"Dentistry" means the healing art which is concerned with the examination, diagnosis, treatment planning, and care of conditions within the human oral cavity and its adjacent tissues and structures, as further specified in Section 17.

"Branches of dentistry" means the various specialties of dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, oral and maxillofacial radiology, and dental anesthesiology.

"Specialist" means a dentist who has received a specialty license pursuant to Section 11(b).

"Dental technician" means a person who owns, operates, or is employed by a dental laboratory and engages in making, providing, repairing, or altering dental prosthetic appliances and other artificial materials and devices which are returned to a dentist for insertion into the human oral cavity or which come in contact with its adjacent structures and tissues.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

"Nurse" means a registered professional nurse, a certified registered nurse anesthetist licensed as an advanced practice registered nurse, or a licensed practical nurse licensed under the Nurse Practice Act.

"Patient of record" means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed an examination and evaluated the condition to be treated.

"Dental responder" means a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support Foundation.

"Mobile dental van or portable dental unit" means any self-contained or portable dental unit in which dentistry is practiced that can be moved, towed, or transported from one location to another in order to establish a location where dental services can be provided.

"Public health dental hygienist" means a hygienist who holds a valid license to practice in the State, has 2 years of full-time clinical experience or an equivalent of 4,000 hours of clinical experience, and has completed at least 42 clock hours of additional structured courses in dental education in advanced areas specific to public health dentistry.

"Public health setting" means a federally qualified health center; a federal, State, or local public health facility; Head Start; a special supplemental nutrition program for Women, Infants, and Children (WIC) facility; a certified school-based health center or school-based oral health program; a prison; or a long-term care facility.

"Public health supervision" means the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients, without a dentist first examining the patient and being present in the facility during treatment, (1) who are eligible for Medicaid or (2) who are uninsured or whose household income is not greater than 300% of the federal poverty level.

"Teledentistry" means the use of telehealth systems and methodologies in dentistry and includes patient care and education delivery using synchronous and asynchronous communications under a dentist's authority as provided under this Act.

"Moderate sedation" means a drug-induced depression of consciousness during which: (1) patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation; (2) no interventions are required to maintain a patient's airway and spontaneous ventilation is adequate; and (3) cardiovascular function is usually maintained.

"Deep sedation" means a drug-induced depression of consciousness during which: (1) patients cannot be easily aroused, but respond purposefully following repeated or painful stimulation; (2) the ability to independently maintain ventilatory function may be impaired; (3) patients may require assistance in maintaining airways and spontaneous ventilation may be inadequate; and (4) cardiovascular function is usually maintained.

"General anesthesia" means a drug-induced loss of consciousness during which: (1) patients are not arousable, even by painful stimulation; (2) the ability to independently maintain ventilatory function is often impaired; (3) patients often require assistance in maintaining airways and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function; and (4) cardiovascular function may be impaired.

"Venipuncture" means the puncture of a vein as part of a medical procedure, typically to withdraw a blood sample or for an intravenous catheter for the administration of medication or fluids.

"Enteral route of administration" means administration of a drug that is absorbed through the gastrointestinal tract or through oral, rectal, or sublingual mucosa.

"Parenteral route of administration" means administration of a drug by which the drug bypasses the gastrointestinal tract through intramuscular, intravenous, intranasal, submucosal, subcutaneous, or intraosseous methods.

(Source: P.A. 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; revised 12-15-23.)

(225 ILCS 25/8.1) (from Ch. 111, par. 2308.1)

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

Sec. 8.1. Permit for the administration of anesthesia and sedation.

(a) No licensed dentist shall administer general anesthesia, deep sedation, or moderate ~~conscious~~ sedation without first applying for and obtaining a permit for such purpose from the Department. The Department shall issue such permit only after ascertaining that the applicant possesses the minimum qualifications necessary to protect public safety. A person with a dental degree who administers anesthesia, deep sedation, or moderate ~~conscious~~ sedation in an approved hospital training program under the supervision of either a licensed dentist holding such permit or a physician licensed to practice medicine in all its branches shall not be required to obtain such permit.

(b) The minimum requirements for a permit to administer moderate sedation issued after the effective date of this amendatory Act of the 103rd General Assembly shall include the completion of a minimum of 75 hours of didactic and supervised clinical study in either:

(1) an American Dental Association Commission on Dental Accreditation accredited dental specialty program, general practice residency, or advanced education in general dentistry residency that includes training and documentation in moderate sedation techniques appropriate for each specialty or an American Dental Association Commission on Dental Accreditation accredited dental anesthesiology residency program and proof of completion of 20 individually managed patients utilizing appropriate routes of administration, in which the applicant is the sole provider, which can include, but are not limited to, intravenous, oral, intranasal, or intramuscular or combinations thereof; or

(2) a structured course of study provided by an approved continuing education provider that includes training and documentation in moderate sedation, physical evaluation, venipuncture, advanced airway management, technical administration, recognition and management of complications and emergencies and monitoring with additional supervised experience and documentation demonstrating competence in providing moderate sedation utilizing enteral and parenteral routes of administration of medications to competency to 20 individual patient experiences on a 1 to 1 ratio with an instructor, in which the applicant is the sole provider of sedation over a continuous time frame as set by the Department and as provided in the American Dental Association's Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students.

(b-5) The minimum requirements for a permit to administer deep sedation and general anesthesia issued after the effective date of this amendatory Act of the 103rd General Assembly shall include:

(1) the completion of a minimum of 2 years of advanced training in anesthesiology beyond the pre-doctoral level in a training program approved by the American Dental Association's Council on Dental Education and Licensure, as outlined in Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students, as published by the American Dental Association's Council on Dental Education and Licensure;

(2) a specialty license in oral and maxillofacial surgery;

(3) completion of an accredited oral or maxillofacial surgery residency program; or

(4) the completion of an American Dental Association Commission on Dental Accreditation accredited dental anesthesiology residency program.

(b-10) The Department may establish, by rule, additional training programs and training requirements consistent with this Section to ensure patient safety in dental offices administering anesthesia, which shall include, but not be limited to the following ~~In determining the minimum permit qualifications that are necessary to protect public safety, the Department, by rule, shall~~:

(1) (blank); ~~establish the minimum educational and training requirements necessary for a dentist to be issued an appropriate permit;~~

(2) establish the standards for properly equipped dental facilities (other than licensed hospitals and ambulatory surgical treatment centers) in which general anesthesia, deep sedation, or moderate ~~conscious~~ sedation is administered, as necessary to protect public safety;

(3) establish minimum requirements for all persons who assist the dentist in the administration of general anesthesia, deep sedation, or moderate ~~conscious~~ sedation, including minimum training requirements for each member of the dental team, monitoring requirements, recordkeeping requirements, and emergency procedures;

(4) ensure that the dentist has completed and maintains current certification in advanced cardiac life support or pediatric advanced life support and all persons assisting the dentist or monitoring the administration of general anesthesia, deep sedation, or moderate ~~conscious~~ sedation maintain current certification in Basic Life Support (BLS); and

(5) establish continuing education requirements in sedation techniques and airway management for dentists who possess a permit under this Section.

The Department shall adopt rules that ensure that a continuing education course designed to meet the permit requirements for moderate sedation training is reviewed and certified by the Department if the course is not accredited by the American Dental Association Commission on Dental Accreditation.

When establishing requirements under this Section, the Department shall consider the current American Dental Association guidelines on sedation and general anesthesia, the current "Guidelines for Monitoring and Management of Pediatric Patients During and After Sedation for Diagnostic and Therapeutic Procedures" established by the American Academy of Pediatrics and the American Academy of Pediatric Dentistry, and the current parameters of care and Office Anesthesia Evaluation (OAE) Manual established by the American Association of Oral and Maxillofacial Surgeons.

(c) A licensed dentist must hold an appropriate permit issued under this Section in order to perform dentistry while a nurse anesthetist administers moderate ~~conscious~~ sedation, and a valid written collaborative agreement must exist between the dentist and the nurse anesthetist, in accordance with the Nurse Practice Act.

A licensed dentist must hold an appropriate permit issued under this Section in order to perform dentistry while a nurse anesthetist administers deep sedation or general anesthesia, and a valid written collaborative agreement must exist between the dentist and the nurse anesthetist, in accordance with the Nurse Practice Act.

For the purposes of this subsection (c), "nurse anesthetist" means a licensed certified registered nurse anesthetist who holds a license as an advanced practice registered nurse.

(Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18; 101-162, eff. 7-26-19.)

(225 ILCS 25/17)

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

Sec. 17. Acts constituting the practice of dentistry. A person practices dentistry, within the meaning of this Act:

(1) Who represents himself or herself as being able to diagnose or diagnoses, treats, prescribes, or operates for any disease, pain, deformity, deficiency, injury, or physical condition of the human tooth, teeth, alveolar process, gums, or jaw; or

(2) Who is a manager, proprietor, operator, or conductor of a business where dental operations are performed; or

(3) Who performs dental operations of any kind; or

(4) Who uses an X-Ray machine or X-Ray films for dental diagnostic purposes; or

(5) Who extracts a human tooth or teeth, or corrects or attempts to correct malpositions of the human teeth or jaws; or

(6) Who offers or undertakes, by any means or method, to diagnose, treat, or remove stains, calculus, and bonding materials from human teeth or jaws; or

(7) Who uses or administers local or general anesthetics in the treatment of dental or oral diseases or in any preparation incident to a dental operation of any kind or character; or

(8) Who takes material or digital scans for final impressions of the human tooth, teeth, or jaws or performs any phase of any operation incident to the replacement of a part of a tooth, a tooth, teeth, or associated tissues by means of a filling, a crown, a bridge, a denture, or other appliance; or

(9) Who offers to furnish, supply, construct, reproduce, or repair, or who furnishes, supplies, constructs, reproduces, or repairs, prosthetic dentures, bridges, or other substitutes for natural teeth, to the user or prospective user thereof; or

(10) Who instructs students on clinical matters or performs any clinical operation included in the curricula of recognized dental schools and colleges; or

(11) Who takes material or digital scans for final impressions of human teeth or places his or her hands in the mouth of any person for the purpose of applying teeth whitening materials, or who takes impressions of human teeth or places his or her hands in the mouth of any person for the purpose of assisting in the application of teeth whitening materials. A person does not practice dentistry when he or she discloses to the consumer that he or she is not licensed as a dentist under this Act and (i) discusses the use of teeth whitening materials with a consumer purchasing these materials; (ii) provides instruction on the use of teeth whitening materials with a consumer purchasing these materials; or (iii) provides appropriate equipment on-site to the consumer for the consumer to self-apply teeth whitening materials.

The fact that any person engages in or performs, or offers to engage in or perform, any of the practices, acts, or operations set forth in this Section, shall be prima facie evidence that such person is engaged in the practice of dentistry.

The following practices, acts, and operations, however, are exempt from the operation of this Act:

(a) The rendering of dental relief in emergency cases in the practice of his or her profession by a physician or surgeon, licensed as such under the laws of this State, unless he or she undertakes to reproduce or reproduces lost parts of the human teeth in the mouth or to restore or replace lost or missing teeth in the mouth; or

(b) The practice of dentistry in the discharge of their official duties by dentists in any branch of the Armed Services of the United States, the United States Public Health Service, or the United States Veterans Administration; or

(c) The practice of dentistry by students in their course of study in dental schools or colleges approved by the Department, when acting under the direction and supervision of dentists acting as instructors; or

(d) The practice of dentistry by clinical instructors in the course of their teaching duties in dental schools or colleges approved by the Department:

(i) when acting under the direction and supervision of dentists, provided that such clinical instructors have instructed continuously in this State since January 1, 1986; or

(ii) when holding the rank of full professor at such approved dental school or college and possessing a current valid license or authorization to practice dentistry in another country; or

(e) The practice of dentistry by licensed dentists of other states or countries at meetings of the Illinois State Dental Society or component parts thereof, alumni meetings of dental colleges, or any other like dental organizations, while appearing as clinicians; or

(f) The use of X-Ray machines for exposing X-Ray films of dental or oral tissues by dental hygienists or dental assistants; or

(g) The performance of any dental service by a dental assistant, if such service is performed under the supervision and full responsibility of a dentist. In addition, after being authorized by a dentist, a dental assistant may, for the purpose of eliminating pain or discomfort, remove loose, broken, or irritating orthodontic appliances on a patient of record.

For purposes of this paragraph (g), "dental service" is defined to mean any intraoral procedure or act which shall be prescribed by rule or regulation of the Department. "Dental service", however, shall not include:

(1) Any and all diagnosis of or prescription for treatment of disease, pain, deformity, deficiency, injury, or physical condition of the human teeth or jaws, or adjacent structures.

(2) Removal of, restoration of, or addition to the hard or soft tissues of the oral cavity, except for the placing, carving, and finishing of amalgam restorations and placing, packing, and finishing composite restorations by dental assistants who have had additional formal education and certification.

A dental assistant may place, carve, and finish amalgam restorations, place, pack, and finish composite restorations, and place interim restorations if he or she (A) has successfully completed a structured training program as described in item (2) of subsection (g) provided by an educational institution accredited by the Commission on Dental Accreditation, such as a dental school or dental hygiene or dental assistant program, or (B) has at least 4,000 hours of direct clinical patient care experience and has successfully completed a structured training program as described in item (2) of subsection (g) provided by a statewide dental association, approved by the Department to provide continuing education, that has developed and conducted training programs for expanded functions for dental assistants or hygienists. The training program must: (i) include a minimum of 16 hours of didactic study and 14 hours of clinical manikin instruction; all training programs shall include areas of study in nomenclature, caries classifications, oral anatomy, periodontium, basic occlusion, instrumentations, pulp protection liners and bases, dental materials, matrix and wedge techniques, amalgam placement and carving, rubber dam clamp placement, and rubber dam placement and removal; (ii) include an outcome assessment examination that demonstrates competency; (iii) require the supervising dentist to observe and approve the completion of 8 amalgam or composite restorations; and (iv) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing and dental sealant course prior to taking the amalgam and composite restoration course.

A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for placing, carving, and finishing of amalgam restorations or for placing, packing, and finishing composite restorations.

(3) Any and all correction of malformation of teeth or of the jaws.

(4) Administration of anesthetics, except for monitoring of nitrous oxide, moderate ~~conscious~~ sedation, deep sedation, and general anesthetic as provided in Section 8.1 of this Act, that may be performed only after successful completion of a training program approved by the Department. A dentist utilizing dental assistants shall not supervise more than 4 dental assistants at any one time for the monitoring of nitrous oxide.

(5) Removal of calculus from human teeth.

(6) Taking of material or digital scans for final impressions for the fabrication of prosthetic appliances, crowns, bridges, inlays, onlays, or other restorative or replacement dentistry.

(7) The operative procedure of dental hygiene consisting of oral prophylactic procedures, except for coronal polishing and pit and fissure sealants, which may be performed by a dental assistant who has successfully completed a training program approved by the Department. Dental assistants may perform coronal polishing under the following circumstances: (i) the coronal polishing shall be limited to polishing the clinical crown of the tooth and existing restorations, supragingivally; (ii) the dental assistant performing the coronal polishing shall be limited to the use of rotary instruments using a rubber cup or brush polishing method (air polishing is not permitted); and (iii) the supervising dentist shall not supervise more than 4 dental assistants at any one time for the task of coronal polishing or pit and fissure sealants.

In addition to coronal polishing and pit and fissure sealants as described in this item (7), a dental assistant who has at least 2,000 hours of direct clinical patient care experience and who has successfully completed a structured training program provided by (1) an educational institution including, but not limited to, a dental school or dental hygiene or dental assistant program, (2) a continuing education provider approved by the Department, or (3) a statewide dental or dental hygienist association that has developed and conducted a training program for expanded functions for dental assistants or hygienists may perform: (A) coronal scaling above the gum line, supragingivally, on the clinical crown of the tooth only on patients 17 years of age or younger who have an absence of periodontal disease and who are not medically compromised or individuals with special needs and (B) intracoronal temporization of a tooth. The training program must: (I) include a minimum of 32 hours of instruction in both didactic and clinical manikin or human subject instruction; all training programs shall include areas of study in dental anatomy, public health dentistry, medical history, dental emergencies, and managing the pediatric patient; (II) include an outcome assessment examination that demonstrates competency; (III) require the supervising dentist to observe and approve the completion of 6 full mouth supragingival scaling procedures unless the training was received as part of a Commission on Dental Accreditation approved dental assistant program; and (IV) issue a certificate of completion of the training program, which must be kept on file at the dental office and be made available to the Department upon request. A dental assistant must have successfully completed an approved coronal polishing course prior to taking the coronal scaling course. A dental assistant performing these functions shall be limited to the use of hand instruments only. In addition, coronal scaling as described in this paragraph shall only be utilized on patients who are eligible for Medicaid, who are uninsured, or whose household income is not greater than 300% of the federal poverty level. A dentist may not supervise more than 2 dental assistants at any one time for the task of coronal scaling. This paragraph is inoperative on and after January 1, 2026.

The limitations on the number of dental assistants a dentist may supervise contained in items (2), (4), and (7) of this paragraph (g) mean a limit of 4 total dental assistants or dental hygienists doing expanded functions covered by these Sections being supervised by one dentist; or

(h) The practice of dentistry by an individual who:

(i) has applied in writing to the Department, in form and substance satisfactory to the Department, for a general dental license and has complied with all provisions of Section 9 of this Act, except for the passage of the examination specified in subsection (e) of Section 9 of this Act; or

(ii) has applied in writing to the Department, in form and substance satisfactory to the Department, for a temporary dental license and has complied with all provisions of subsection (c) of Section 11 of this Act; and

(iii) has been accepted or appointed for specialty or residency training by a hospital situated in this State; or

(iv) has been accepted or appointed for specialty training in an approved dental program situated in this State; or

(v) has been accepted or appointed for specialty training in a dental public health agency situated in this State.

The applicant shall be permitted to practice dentistry for a period of 3 months from the starting date of the program, unless authorized in writing by the Department to continue such practice for a period specified in writing by the Department.

The applicant shall only be entitled to perform such acts as may be prescribed by and incidental to his or her program of residency or specialty training and shall not otherwise engage in the practice of dentistry in this State.

The authority to practice shall terminate immediately upon:

(1) the decision of the Department that the applicant has failed the examination; or

(2) denial of licensure by the Department; or

(3) withdrawal of the application.

(Source: P.A. 102-558, eff. 8-20-21; 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; revised 12-15-23.)

(225 ILCS 25/19.2)

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

Sec. 19.2. Temporary permit for free dental care.

(a) Upon Board recommendation, the Department may issue a temporary permit authorizing the practice in this State, without compensation, of dentistry to an applicant who is licensed to practice dentistry in another state, if all of the following apply:

(1) the Department determines that the applicant's services will improve the welfare of Illinois residents who are eligible for Medicaid or who are uninsured and whose household income is not greater than 200% of the federal poverty level;

(2) the applicant has graduated from a dental program approved by the American Dental Association's Commission on Dental Accreditation and maintains an equivalent authorization to practice dentistry in good standing in his or her native licensing jurisdiction during the period of the temporary visiting dentist permit and can furnish the Department a certified letter upon request from that jurisdiction attesting to the fact that the applicant has no pending action or violations against his or her license;

(3) the applicant has received an invitation to perform dental care by a charitable organization or has received an invitation to study or receive training on specific dental or clinical subjects or techniques by a licensed continuing education sponsor who is approved by the Department to provide clinical training in the State of Illinois on patients for the welfare of Illinois residents pursuant to subsection (a-5) and is in compliance with the provisions of this Act;

(4) the applicant will be working pursuant to a collaborative agreement with and under the direct supervision of an Illinois licensed dentist, who is in good standing, during the duration of the program. The supervising dentist must be physically present during all clinical training courses; and

(5) payment of a fee established by rule.

The Department may adopt rules to implement this subsection.

(a-5) Upon Board recommendation, after the filing of an application, the Department may allow approved continuing education sponsors to be licensed to provide live patient continuing education clinical training courses if the following requirements are met:

(1) the continuing education course provides services, without compensation, that will improve the welfare of Illinois residents as described in paragraph (1) of subsection (a). The application to the Board must include the following information for review and approval by the Department:

(i) a plan of follow-up care and training models;

(ii) any and all documentation to be signed by the patients, including, but not limited to, waivers, consent forms, and releases;

(iii) information related to the facilities being utilized, staffing plans, and emergency plans;

(iv) the process by which patients will be contacted before, during, and after treatment;

(v) the intended population that will be receiving treatment; and

(vi) proof of valid malpractice insurance for the approved continuing education sponsor that extends coverage to clinical staff, trainees, and out-of-state permit holders that meet the requirements of subsection (a);

(2) a valid written collaborative agreement must exist between the temporary visiting dentist and the Illinois licensed dentist co-treating patients under this Section. The collaborative agreement must include a description of the care to be provided and procedures to be performed by the temporary visiting dentist. There shall be no more than 5 trainees per supervising dentist. A copy of this agreement shall become part of the patient's dental record and shall be made available upon request to the Department; and

(3) payment of a fee established by rule.

A continuing education sponsor license issued under this Section shall be valid for a period of time as provided by rule.

The Department shall adopt rules to implement this subsection.

(b) (Blank).

(c) A temporary permit shall be valid for no longer than 5 consecutive clinical days within 6 months from the date of issuance. The temporary permit may be issued once per year to a visiting dentist. Temporary permits under subsection (a) may be restored no more than one time within 5 years of the initial permits issuance. The Department may require an applicant to pay a fee for the issuance or restoration of a permit under this Section.

(d) (Blank).

(e) The temporary permit shall only permit the holder to practice dentistry within the scope of the dental studies and in conjunction with one of the following:

(1) the charitable organization; or

(2) a continuing education program provided by a continuing education sponsor approved by the Department pursuant to this Section that the permit holder is attending.

(f) The temporary visiting dentist may not administer moderate ~~conscious~~ sedation, deep sedation, or general anesthesia.

(g) A patient who seeks treatment from a temporary visiting dentist must sign a consent form acknowledging that the care the patient will receive will be provided by a dentist not licensed in the State of Illinois and that the Illinois licensed dentist who has the collaborative agreement with the temporary visiting dentist will be responsible for all the follow-up care associated with the treatment rendered to the patient.

(h) An application for the temporary permit shall be made to the Department in writing on forms prescribed by the Department and shall be accompanied by a nonrefundable fee established by rule.

(i) An applicant for a temporary permit may be requested to appear before the Board to respond to questions concerning the applicant's qualifications to receive the permit. An applicant's refusal to appear before the Board may be grounds for denial of the application by the Department.

(j) The Secretary may summarily cancel any permit or license issued pursuant to this Section without a hearing if the Secretary finds that evidence in his or her possession indicates that a continuing education sponsor licensed under this Section or a temporary permit holder's continuation in practice would constitute an imminent danger to the public or violate any provision of this Act or its rules. If the Secretary summarily cancels a permit or license issued pursuant to this Section, the permit holder or licensee may petition the Department for a hearing in accordance with the provisions of subsection (b) of Section 26 of this Act to reinstate his or her permit or license.

(k) In addition to terminating any permit or license issued pursuant to this Section, the Department may impose a monetary penalty not to exceed $10,000 upon the temporary permit holder or licensee and may notify any state in which the temporary permit holder or licensee has been issued a license that his or her Illinois permit or license has been terminated and the reasons for the termination. The monetary penalty shall be paid within 60 days after the effective date of the order imposing the penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record. It is the intent of the General Assembly that a permit or license issued pursuant to this Section shall be considered a privilege and not a property right.

(Source: P.A. 102-582, eff. 1-1-22.)

(225 ILCS 25/45) (from Ch. 111, par. 2345)

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

Sec. 45. Advertising. The purpose of this Section is to authorize and regulate the advertisement by dentists of information which is intended to provide the public with a sufficient basis upon which to make an informed selection of dentists while protecting the public from false or misleading advertisements which would detract from the fair and rational selection process.

Any dentist may advertise the availability of dental services in the public media or on the premises where such dental services are rendered. Such advertising shall be limited to the following information:

(a) The dental services available;

(b) Publication of the dentist's name, title, office hours, address and telephone;

(c) Information pertaining to his or her area of specialization, including appropriate board certification or limitation of professional practice;

(d) Information on usual and customary fees for routine dental services offered, which information shall include notification that fees may be adjusted due to complications or unforeseen circumstances;

(e) Announcement of the opening of, change of, absence from, or return to business;

(f) Announcement of additions to or deletions from professional dental staff;

(g) The issuance of business or appointment cards;

(h) Other information about the dentist, dentist's practice or the types of dental services which the dentist offers to perform which a reasonable person might regard as relevant in determining whether to seek the dentist's services. However, any advertisement which announces the availability of endodontics, pediatric dentistry, periodontics, prosthodontics, orthodontics and dentofacial orthopedics, oral and maxillofacial surgery, or oral and maxillofacial radiology by a general dentist or

by a licensed specialist who is not licensed in that specialty shall include a disclaimer stating that the dentist does not hold a license in that specialty.

Any dental practice with more than one location that enrolls its dentist as a participating provider in a managed care plan's network must verify electronically or in writing to the managed care plan whether the provider is accepting new patients at each of the specific locations listing the provider. The health plan shall remove the provider from the directory in accordance with standard practices within 10 business days after being notified of the changes by the provider. Nothing in this paragraph shall void any contractual relationship between the provider and the plan.

It is unlawful for any dentist licensed under this Act to do any of the following:

(1) Use claims of superior quality of care to entice the public.

(2) Advertise in any way to practice dentistry without causing pain.

(3) Pay a fee to any dental referral service or other third party who advertises a dental referral service, unless all advertising of the dental referral service makes it clear that dentists are paying a fee for that referral service.

(4) Advertise or offer gifts as an inducement to secure dental patronage. Dentists may advertise or offer free examinations or free dental services; it shall be unlawful, however, for any dentist to charge a fee to any new patient for any dental service provided at the time that such free examination or free dental services are provided.

(5) Use the term "sedation dentistry" or similar terms in advertising unless the advertising dentist holds a valid and current permit issued by the Department to administer either general anesthesia, deep sedation, or moderate ~~conscious~~ sedation as required under Section 8.1 of this Act.

This Act does not authorize the advertising of dental services when the offeror of such services is not a dentist. Nor shall the dentist use statements which contain false, fraudulent, deceptive or misleading material or guarantees of success, statements which play upon the vanity or fears of the public, or statements which promote or produce unfair competition.

A dentist shall be required to keep a copy of all advertisements for a period of 3 years. All advertisements in the dentist's possession shall indicate the accurate date and place of publication.

The Department shall adopt rules to carry out the intent of this Section.

(Source: P.A. 99-329, eff. 1-1-16.)

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 2 and 4 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Peters, **Senate Bill No. 3288** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3288

AMENDMENT NO. 1 . Amend Senate Bill 3288 by replacing everything after the enacting clause with the following:

"Section 5. The Mental Health and Developmental Disabilities Confidentiality Act is amended by changing Sections 2 and 11 as follows:

(740 ILCS 110/2) (from Ch. 91 1/2, par. 802)

Sec. 2. The terms used in this Act, unless the context requires otherwise, have the meanings ascribed to them in this Section.

"Agent" means a person who has been legally appointed as an individual's agent under a power of attorney for health care or for property.

"Business associate" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Confidential communication" or "communication" means any communication made by a recipient or other person to a therapist or to or in the presence of other persons during or in connection with providing mental health or developmental disability services to a recipient. Communication includes information

which indicates that a person is a recipient. "Communication" does not include information that has been de-identified in accordance with HIPAA, as specified in 45 CFR 164.514.

"Covered entity" has the meaning ascribed to it under HIPAA, as specified in 45 CFR 160.103.

"Guardian" means a legally appointed guardian or conservator of the person.

"Health information exchange" or "HIE" means a health information exchange or health information organization that oversees and governs the electronic exchange of health information.

"HIE purposes" means those uses and disclosures (as those terms are defined under HIPAA, as specified in 45 CFR 160.103) for activities of an HIE which are permitted under federal law.

"HIPAA" means the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any subsequent amendments thereto and any regulations promulgated thereunder, including the Security Rule, as specified in 45 CFR 164.302-18, and the Privacy Rule, as specified in 45 CFR 164.500-34.

"Integrated health system" means an organization with a system of care which incorporates physical and behavioral healthcare and includes care delivered in an inpatient and outpatient setting.

"Interdisciplinary team" means a group of persons representing different clinical disciplines, such as medicine, nursing, social work, and psychology, providing and coordinating the care and treatment for a recipient of mental health or developmental disability services. The group may be composed of individuals employed by one provider or multiple providers.

"Mental health or developmental disabilities services" or "services" includes but is not limited to examination, diagnosis, evaluation, treatment, training, pharmaceuticals, aftercare, habilitation or rehabilitation.

"Personal notes" means:

(i) information disclosed to the therapist in confidence by other persons on condition that such information would never be disclosed to the recipient or other persons;

(ii) information disclosed to the therapist by the recipient which would be injurious to the recipient's relationships to other persons, and

(iii) the therapist's speculations, impressions, hunches, and reminders.

"Parent" means a parent or, in the absence of a parent or guardian, a person in loco parentis.

"Recipient" means a person who is receiving or has received mental health or developmental disabilities services.

"Record" means any record kept by a therapist or by an agency in the course of providing mental health or developmental disabilities service to a recipient concerning the recipient and the services provided. "Records" includes all records maintained by a court that have been created in connection with, in preparation for, or as a result of the filing of any petition or certificate under Chapter II, Chapter III, or Chapter IV of the Mental Health and Developmental Disabilities Code and includes the petitions, certificates, dispositional reports, treatment plans, and reports of diagnostic evaluations and of hearings under Article VIII of Chapter III or under Article V of Chapter IV of that Code. Record does not include the therapist's personal notes, if such notes are kept in the therapist's sole possession for his own personal use and are not disclosed to any other person, except the therapist's supervisor, consulting therapist or attorney. If at any time such notes are disclosed, they shall be considered part of the recipient's record for purposes of this Act. "Record" does not include information that has been de-identified in accordance with HIPAA, as specified in 45 CFR 164.514. "Record" does not include a reference to the receipt of mental health or developmental disabilities services noted during a patient history and physical or other summary of care.

"Record custodian" means a person responsible for maintaining a recipient's record.

"Research" has the meaning ascribed to it under HIPAA as specified in 45 CFR 164.501.

"Therapist" means a psychiatrist, physician, psychologist, social worker, or nurse providing mental health or developmental disabilities services or any other person not prohibited by law from providing such services or from holding himself out as a therapist if the recipient reasonably believes that such person is permitted to do so. Therapist includes any successor of the therapist.

"Therapeutic relationship" means the receipt by a recipient of mental health or developmental disabilities services from a therapist. "Therapeutic relationship" does not include independent evaluations for a purpose other than the provision of mental health or developmental disabilities services.

(Source: P.A. 103-508, eff. 8-4-23.)

(740 ILCS 110/11) (from Ch. 91 1/2, par. 811)

Sec. 11. Disclosure of records and communications. Records and communications may be disclosed:

(i) in accordance with the provisions of the Abused and Neglected Child Reporting Act, subsection (u) of Section 5 of the Children and Family Services Act, or Section 7.4 of the Child Care Act of 1969;

(ii) when, and to the extent, a therapist, in his or her sole discretion, determines that disclosure is necessary to initiate or continue civil commitment or involuntary treatment proceedings under the laws of this State or to otherwise protect the recipient or other person against a clear, imminent risk of serious physical or mental injury or disease or death being inflicted upon the recipient or by the recipient on himself or another;

(iii) when, and to the extent disclosure is, in the sole discretion of the therapist, necessary to the provision of emergency medical care to a recipient who is unable to assert or waive his or her rights hereunder;

(iv) when disclosure is necessary to collect sums or receive third party payment representing charges for mental health or developmental disabilities services provided by a therapist or agency to a recipient under Chapter V of the Mental Health and Developmental Disabilities Code or to transfer debts under the Uncollected State Claims Act; however, disclosure shall be limited to information needed to pursue collection, and the information so disclosed shall not be used for any other purposes nor shall it be redisclosed except in connection with collection activities;

(v) when requested by a family member, the Department of Human Services may assist in the location of the interment site of a deceased recipient who is interred in a cemetery established under Section 26 of the Mental Health and Developmental Disabilities Administrative Act;

(vi) in judicial proceedings under Article VIII of Chapter III and Article V of Chapter IV of the Mental Health and Developmental Disabilities Code and proceedings and investigations preliminary thereto, to the State's Attorney for the county or residence of a person who is the subject of such proceedings, or in which the person is found, or in which the facility is located, to the attorney representing the petitioner in the judicial proceedings, to the attorney representing the recipient in the judicial proceedings, to any person or agency providing mental health services that are the subject of the proceedings and to that person's or agency's attorney, to any court personnel, including but not limited to judges and circuit court clerks, and to a guardian ad litem if one has been appointed by the court. Information disclosed under this subsection shall not be utilized for any other purpose nor be redisclosed except in connection with the proceedings or investigations. Copies of any records provided to counsel for a petitioner shall be deleted or destroyed at the end of the proceedings and counsel for petitioner shall certify to the court in writing that he or she has done so. At the request of a recipient or his or her counsel, the court shall issue a protective order insuring the confidentiality of any records or communications provided to counsel for a petitioner;

(vii) when, and to the extent disclosure is necessary to comply with the requirements of the Census Bureau in taking the federal Decennial Census;

(viii) when, and to the extent, in the therapist's sole discretion, disclosure is necessary to warn or protect a specific individual against whom a recipient has made a specific threat of violence where there exists a therapist-recipient relationship or a special recipient-individual relationship;

(ix) in accordance with the Sex Offender Registration Act;

(x) in accordance with the Rights of Crime Victims and Witnesses Act;

(xi) in accordance with Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act;

(xii) in accordance with Section 55 of the Abuse of Adults with Disabilities Intervention Act;

(xiii) to an HIE as specifically allowed under this Act for HIE purposes and in accordance with any applicable requirements of the HIE; ~~and~~

(xiv) to a law enforcement agency in connection with the investigation or recovery of a person who has left a mental health or developmental disability facility as defined in Section 1-107 or 1-114 of the Mental Health and Developmental Disabilities Code or the custody of the Department of Human Services without being duly discharged or being free to do so; however, disclosure shall be limited to identifying information as defined in Section 12.2 of this Act; and~~.~~

(xv) for research in accordance with the requirements set forth under HIPAA. Without limiting the generality of the foregoing, any authorization obtained in connection with research that meets the requirements of 45 CFR 164.508(c) shall be exempt from the consent requirements of Section 5 of this Act.

Any person, institution, or agency, under this Act, participating in good faith in the making of a report under the Abused and Neglected Child Reporting Act or in the disclosure of records and communications under this Section, shall have immunity from any liability, civil, criminal or otherwise, that might result by reason of such action. For the purpose of any proceeding, civil or criminal, arising out of a report or disclosure under this Section, the good faith of any person, institution, or agency so reporting or disclosing shall be presumed.
(Source: P.A. 98-378, eff. 8-16-13; 99-216, eff. 7-31-15.)".

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 Aquino, **Senate Bill No. 3331** having been printed, was taken up, read by title a second time.
The following amendment was offered in the Committee on Judiciary, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3331
AMENDMENT NO. 1 . Amend Senate Bill 3331 by replacing everything after the enacting clause with the following:

"Section 5. The Consumer Fraud and Deceptive Business Practices Act is amended by adding Section 2EEEE as follows:
(815 ILCS 505/2EEEE new)
Sec. 2EEEE. Hidden and misleading fees prohibited.
(a) As used in this Section:
"Ancillary good or service" means any additional merchandise offered to a consumer as part of the same transaction.
"Pricing information" means any information relating to an amount a consumer may pay as part of a transaction.
"Shipping charges" means the fees or charges that reasonably reflect the amount to be incurred to send goods to a consumer through the mail, including private mail services.
"Total price" means the maximum total of all fees or charges a consumer must pay for a good or service and any mandatory ancillary good or service. "Total price" does not include shipping charges or taxes.
(b) It is an unlawful practice within the meaning of this Act for a person to:
(1) offer, display, or advertise an amount a consumer may pay for merchandise without clearly and conspicuously disclosing the total price;
(2) fail, in any offer, display, or advertisement that contains an amount a consumer may pay, to display the total price more prominently than any other pricing information;
(3) misrepresent the nature and purpose of any amount a consumer may pay, including the ability to refund the fees and the identity of any merchandise for which fees are charged; or
(4) fail to disclose clearly and conspicuously before the consumer consents to pay, the nature and purpose of any amount a consumer may pay that is excluded from the total price, including the ability to refund the fees and the identity of any merchandise for which fees are charged.".

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 Stadelman, **Senate Bill No. 3592** having been printed, was taken up, read by title a second time.
The following amendment was offered in the Committee on Executive, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 3592
AMENDMENT NO. 1 . Amend Senate Bill 3592 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Strengthening Community Media Act.

Section 5. Findings.

(a) Illinois benefits from robust local news services that provide trusted and essential information to the community that limits corruption, encourages citizen participation, helps combat misinformation, and mitigates community and individual alienation.

(b) Local news in Illinois and throughout the country is struggling with newspaper advertising dropping 82% nationally since 2000, contributing to a 57% drop in the number of reporters at newspapers and thousands of closures.

(c) Local news outlets are trusted sources of information for communities throughout Illinois and advertising spending with these outlets carries a substantial benefit for the effective dissemination of important government information to the communities it serves.

(d) Government initiatives to increase spending on local news advertising has been manifestly successful in both supporting local news outlets and improving the information diet of communities in several major cities.

(e) Illinois can and will implement such an initiative while preserving the editorial independence of local news outlets selling advertising space under this Act, and recognizes that any diversion of advertising spending that has the effect or appearance of an attempt to influence the editorial content of a local news organization violates the federal and State guarantees of freedom of the press and freedom of speech.

Section 10. Definitions. As used in this Act:

"Department" means the Department of Commerce and Economic Opportunity.

"Local news organization" means an entity that:

(1) engages professionals to create, edit, produce, and distribute original content concerning matters of public interest, through reporting activities, including conducting interviews, observing current events, or analyzing documents or other information;

(2) has at least one employee employed full-time for 30 hours a week or more dedicated to providing coverage of Illinois or local Illinois community news and living within 50 miles of the coverage area, who gathers, prepares, collects, photographs, writes, edits, reports, or publishes original local or State community news for dissemination to the local or State community;

(3) in the case of print publications, has published at least one print publication per month over the previous 12 months, and either holds a valid United States Postal Service periodical permit or has at least 25% of its content dedicated to local news;

(4) in the case of digital-only entities, has published one piece about the community per week over the previous 12 months and has at least 33% of its digital audience in Illinois, averaged over a 12-month period;

(5) in the case of hybrid entities that that have both print and digital outlets, meets the requirements in either paragraph (3) or (4) of this definition;

(6) has disclosed in its print publication or on its website its beneficial ownership or, in the case of a not-for-profit entity, its board of directors;

(7) in the case of an entity that maintains tax status under Section 501(c)(3) of the federal Internal Revenue Code, has declared the coverage of local or State news as the stated mission in its filings with the Internal Revenue Service; and

(8) has not received more than 50% of its gross receipts for the previous year from political action committees or other entities described in Section 527 of the federal Internal Revenue Code, or from an organization that maintains Section 501(c)(4) or 501(c)(6) status under the federal Internal Revenue Code.

Section 15. Notice of sale of a local news organization. A local news organization shall not be sold to a company without giving written notice 120 days before the sales occurs to the following:

(1) affected employees and representatives of affected employees;

(2) the Department and the county government in which the local news organization is located; and

(3) any in-State nonprofit organization in the business of buying local news organizations.

Section 90. The Higher Education Student Assistance Act is amended by adding Section 65.125 as follows:

(110 ILCS 947/65.125 new)

Sec. 65.125. Journalism Student Scholarship Program.

(a) As used in this Section, "local news organization" has the meaning given to that term in the Strengthening Community Media Act.

(b) In order to encourage academically talented Illinois students to pursue careers in journalism, especially in underserved areas of the State, and to provide those students with financial assistance to increase the likelihood that they will complete their full academic commitment and elect to remain in Illinois to pursue a career in journalism, subject to appropriation, the Commission shall implement and administer the Journalism Student Scholarship Program. The Commission shall annually award scholarships to persons preparing to work in Illinois, with preference given to those preparing to work in underserved areas. These scholarships shall be awarded to individuals who make application to the Commission and agree to sign an agreement under which the recipient pledges that, within the 2-year period following the termination of the academic program for which the recipient was awarded a scholarship, the recipient shall:

(1) begin working in journalism in this State for a period of not less than 2 years;

(2) fulfill this obligation at local news organization; and

(3) upon request of the Commission, provide the Commission with evidence that the recipient is fulfilling or has fulfilled the terms of the teaching agreement provided for in this subsection.

(c) An eligible student is a student who meets the following qualifications:

(1) is a resident of this State and a citizen or eligible noncitizen of the United States;

(2) is a high school graduate or a person who has received an Illinois high school diploma;

(3) is enrolled or accepted, on at least a half-time basis, at an institution of higher learning; and

(4) is pursuing a postsecondary course of study leading to a career in journalism or a similar field.

(d) Each scholarship shall be used by the recipient for the payment of tuition and fees at an institution of higher learning.

(e) The Commission shall administer the Program and shall adopt all necessary and proper rules not inconsistent with this Section for its effective implementation.".

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 Villa, **Senate Bill No. 3762** having been printed, was taken up, read by title a second time.

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3762

AMENDMENT NO. 1 . Amend Senate Bill 3762 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Language Equity and Access Act.

Section 5. Legislative purpose. The purpose of this Act is to ensure that all residents of the State have equal access to State services and, in particular, to remove language as a barrier for persons who have limited English proficiency and who may, therefore, be excluded from equitable access to State information, programs, services, and activities. It is the intent of the General Assembly that the State adopt a language equity and access policy that incorporates federal guidance for ensuring meaningful access for persons with limited English proficiency as provided by the Illinois Human Rights Act, the Illinois Civil Rights Act of 2003, Title VI of the Civil Rights Act of 1964, U.S. Presidential Executive Order No. 13166 (Improving Access to Services for Persons with Limited English Proficiency), U.S. Presidential Executive Order 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), U.S. Presidential Executive Order 14091 (Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), other non-discrimination provisions in federal or State statutes, and any succeeding provisions of federal or State law, regulation, or guidance.

Section 10. Definitions. In this Act:

"Interpretation" means listening to a communication in one language and orally converting it to another language in a manner that preserves the intent and meaning of the original message.

"Language assistance services" means oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with meaningful access to, and equal opportunity to participate fully in, the services, activities, or other programs administered by the State.

"Limited English proficient (LEP) person" means an individual who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English.

"Meaningful access" means language assistance that results in accurate, timely, and effective communication at no cost to limited English proficient persons. For LEP persons, meaningful access denotes access that is not unreasonably restricted, delayed, or inferior as compared to access to programs or activities provided to English proficient individuals.

"State agency" means an executive agency, department, board, commission, or authority directly responsible to the Governor.

"Translation" means the conversion of text from one language to another in a written form to convey the intent and essential meaning of the original text.

"Vital documents" means paper or electronic written material that contains information that affects a person's access to, retention of, termination of, or exclusion from program services or benefits or is required by law.

Section 15. Statewide Language Equity and Access.

(a) This Act is created to ensure meaningful access to State programs and resources for limited proficient (LEP) persons. This Act requires the Governor's Office of New Americans, with the support of the Department of Human Services and any other relevant agencies to, at a minimum:

(1) prepare, based on available U.S. Census data, a Language Needs Assessment Report that identifies the languages spoken throughout the State as described in Section 25 of this Act;

(2) assist State agencies in the creation of language access plans as detailed in Section 30 of this Act;

(3) develop standards and a compliance framework to assess progress by State agencies, including both key performance indicators and mechanisms to track them;

(4) provide annual reporting on State agency compliance and progress to the Governor and the General Assembly by December 31 of every year starting in 2026;

(5) establish requirements for the availability of interpretation and translation services;

(6) set standards for adequate staffing of bilingual employees at State agencies, including a methodology for monitoring implementation and updating the State Services Assurance Act and the Bilingual Employment Plan, based on the Language Needs Assessment Report;

(7) incorporate language equity compliance provisions in State contracts with vendors, grantees and purchase of care entities; and

(8) ensure that whenever an emergency, weather, health, or other crisis situation has been declared, the State's limited English person population is adequately notified of the emergency, information, any actions required, and has equitable access to emergency resources.

(b) The Governor's Office of New Americans, with the support of the Department of Human Services and any other relevant agencies, shall lead statewide efforts in the implementation of the State's language equity and access policy for LEP persons and to ensure meaningful access to information, services, programs, and activities offered by State agencies for LEP persons. The role of the Governor's Office of New Americans in this work is to advance and monitor implementation of and compliance with this Act by:

(1) providing oversight, central coordination, and technical assistance to State agencies in the implementation of language access requirements under this Act or under any other law, rule, or guidance related to language access;

(2) reviewing and monitoring each State agency's language access plan for compliance with this Act;

(3) consulting with Language Access Coordinators and State agency directors or their equivalent;

(4) creating, distributing, and making available to State agencies multilingual signage in the more frequently encountered languages in the State and other languages as needed, informing

individuals of the individual's right to free interpretation services and how to request language services;

(5) ensuring that each State agency develops an internal complaint and review process specific to the provision of language assistance services and supporting agencies in addressing complaints in a timely manner;

(6) developing recommendations for the use of interpreters and translators, including standards for certification and qualifications;

(7) assisting State agencies in developing multilingual websites with information about relevant policies, standards, plans, and complaint processes;

(8) assisting State agencies in preparing public notices of the availability of translation or interpretation services upon request;

(9) preparing an annual compliance report to be submitted to the Governor and the General Assembly; and

(10) addressing other issues as necessary to ensure equity and meaningful participation for persons with limited English proficiency.

Section 20. Statewide Language Needs Assessment. The Governor's Office of New Americans, with the support of the Department of Human Services and any other relevant State agencies, shall compile available United States Census data on languages used across the State, including the identification of geographic patterns and trend data, to inform the Language Needs Assessment Report. The report shall be updated at least every 10 years in conjunction with the decennial federal Census but may be updated more frequently using other Census data reports.

The Language Needs Assessment report shall be made available to State agencies for the development of their language access plans and overall improvement in service provision to LEP persons.

Section 25. Language access plans.

(a) Each State agency shall take reasonable steps to ensure meaningful access to services, programs, and activities by LEP persons. Therefore, each State agency shall prepare and submit a language access plan to the Governor's Office of New Americans. Each language access plan should describe the population of LEP persons the agency serves, the policy and programmatic actions the agency will implement to ensure meaningful access, and the metrics the agency will use to measure compliance with this Act.

(b) Each State agency shall designate a Language Access Coordinator who is responsible for overseeing the development and implementation of the agency's language access plan.

(c) The adequacy of a State agency's language access plan shall be determined by the totality of the circumstances, including an individualized assessment that balances the following factors:

(1) the number or proportion of LEP persons who are served or encountered in the eligible service population of the State agency;

(2) the frequency with which LEP persons come in contact with the services, programs, or activities provided by the State agency;

(3) the nature and importance of the services, programs, or activities provided by the State agency; and

(4) the resources available to the State agency and the costs.

(d) Each State agency shall describe in its plans how it will provide all of the following:

(1) competent, timely translation and interpretation services to LEP persons who are seeking access to information, services, programs, or activities provided by the State agency; and

(2) vital document translation services for LEP persons who are seeking access to information, services, programs, or activities provided by the State agency, as follows:

(A) if there are more than 1,000 LEP persons in the population of persons served by the State agency or if LEP persons comprise more than 5% of the population of persons served by the State agency; or

(B) if there are fewer than 50 persons served by the State agency that reach the 5% threshold in subparagraph (A), the State agency shall provide written notice in the primary language to the LEP persons of the right to receive competent oral interpretation of those written materials free of cost.

(3) Following the first submitted plan, language access plans shall include an assessment of performance metrics for the previous State fiscal year.

(e) The Governor's Office of New Americans, with the support of the Department of Human Services and any other relevant State agencies, shall develop a template and mechanism for collecting and analyzing State agency language access plans.

(f) Following completion of the assessment, the Governor's Office of New Americans, with the support of the Department of Human Services and any other relevant State agencies, shall provide guidance and feedback to each State agency, including any recommendations to ensure compliance with this Act.

(g) Language access plans shall be made publicly accessible by each State agency.

Section 30. Compliance and accountability.

(a) No later than July 1, 2025, the Governor's Office of New Americans shall prepare and submit to the General Assembly a Language Equity and Access Status Report detailing the progress made by State agencies in the implementation of this Act, including the development of Language Access Plans.

(b) By December 31, 2026, and every December 31 thereafter, the Governor's Office of New Americans shall submit a Language Equity and Access Compliance Report to the General Assembly. The Compliance Report shall be based on information collected during the preceding fiscal year and shall, at a minimum, include:

(1) key performance metrics for the previous year;

(2) the following information for each State agency:

(A) a high-level summary of the language access plan, including language access services offered;

(B) as applicable, the number and percentage of LEP persons who use the services of the State agency, listed by language other than English;

(C) aggregate data on the number of bilingual employees, by title, who are in roles designated as requiring a person employed in that position to speak or write in a language other than English, including the languages that the persons are required to speak in that role, and whether the employees are certified as bilingual in those languages;

(D) the name and contact information of the Language Access Coordinator for each State agency;

(E) an ongoing employee development and training strategy to maintain well-trained bilingual employees and general staff;

(F) data on the use of any interpretation or translation vendor services such as number and type of language services requested, languages requested, and any other relevant data; and

(G) aggregate data on the number of complaints filed and the status or resolution of the complaints.

(c) The Governor's Office of New Americans shall attempt to resolve a language access complaint received by a State agency if the agency does not resolve the complaint in a timely manner or the resolution is inadequate. Upon referral of a complaint, the Governor's Office of New Americans may engage in informal processes, including mediation, conference, and conciliation, to resolve the complaint.

Section 35. Implementation. The Governor's Office of New Americans may work in collaboration with the Department of Human Services and any other relevant State agency to implement this Act.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator D. Turner, **Senate Bill No. 331** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 461** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 461

AMENDMENT NO. 1 . Amend Senate Bill 461 by replacing everything after the enacting clause with the following:

"Section 5. The University of Illinois Act is amended by changing Section 7e-5 as follows:

(110 ILCS 305/7e-5)

Sec. 7e-5. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board of Trustees shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board of Trustees at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board of Trustees shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board of Trustees shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board of Trustees may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.
(Source: P.A. 101-424, eff. 8-16-19.)

Section 10. The Southern Illinois University Management Act is amended by changing Section 8d-5 as follows:

(110 ILCS 520/8d-5)

Sec. 8d-5. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 15. The Chicago State University Law is amended by changing Section 5-88 as follows:

(110 ILCS 660/5-88)

Sec. 5-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 20. The Eastern Illinois University Law is amended by changing Section 10-88 as follows:

(110 ILCS 665/10-88)

Sec. 10-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she

was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 25. The Governors State University Law is amended by changing Section 15-88 as follows:

(110 ILCS 670/15-88)

Sec. 15-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 30. The Illinois State University Law is amended by changing Section 20-88 as follows:

(110 ILCS 675/20-88)

Sec. 20-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes.

Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 35. The Northeastern Illinois University Law is amended by changing Section 25-88 as follows:

(110 ILCS 680/25-88)

Sec. 25-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 40. The Northern Illinois University Law is amended by changing Section 30-88 as follows:

(110 ILCS 685/30-88)

Sec. 30-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to

permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)

Section 45. The Western Illinois University Law is amended by changing Section 35-88 as follows:

(110 ILCS 690/35-88)

Sec. 35-88. In-state tuition charge.

(a) Notwithstanding any other provision of law to the contrary, for tuition purposes until July 1, 2026, the Board shall deem an individual an Illinois resident, until the individual establishes a residence outside of this State, if all of the following conditions are met:

(1) The individual resided with his or her parent or guardian while attending a public or private high school in this State.

(2) The individual graduated from a public or private high school or received the equivalent of a high school diploma in this State.

(3) The individual attended school in this State for at least 3 years as of the date the individual graduated from high school or received the equivalent of a high school diploma.

(4) The individual registers as an entering student in the University not earlier than the 2003 fall semester.

(5) In the case of an individual who is not a citizen or a permanent resident of the United States, the individual provides the University with an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

This subsection (a) applies only to tuition for a term or semester that begins on or after May 20, 2003 (the effective date of Public Act 93-7) but before July 1, 2026. Any revenue lost by the University in implementing this subsection (a) shall be absorbed by the University Income Fund.

(a-5) Notwithstanding any other provision of law to the contrary, beginning July 1, 2026, an individual, other than an individual who has a non-immigrant alien status that precludes an intent to permanently reside in the United States under subsection (a) of Section 1101 of Title 8 of the United States Code, shall be charged tuition by the Board at the same rate as an Illinois resident if the individual meets all of the requirements of either paragraph (1) or (2):

(1) The individual:

(A) attended a public or private high school in this State for at least 2 years before enrolling at the University;

(B) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State;

(C) attended high school while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(2) The individual:

(A) attended any of the following for at least 2 years and attended for a cumulative total of at least 3 years before enrolling at the University:

(i) a public or private high school in this State;

(ii) a public community college in a community college district organized under the Public Community College Act; or

(iii) a combination of those educational institutions set forth in subdivisions (i) and (ii) of this subparagraph (A);

(B) has at the time of enrollment:

(i) graduated from a public or private high school in this State or received the equivalent of a high school diploma in this State; and

(ii) earned an associate degree from or completed at least 60 credit hours of graded, transferable coursework at a public community college in a community college district organized under the Public Community College Act;

(C) attended an educational institution set forth in subdivision (i) or (ii) of subparagraph (A) of this paragraph (2) while residing in this State and has not established residency outside of this State before enrolling at the University; and

(D) agrees to swear and affirm to the University that the individual will file an application to become a permanent resident of the United States at the earliest opportunity if the individual is eligible to do so and is not a citizen or lawful permanent resident of the United States.

(b) If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for at least 3 years immediately prior to being reassigned out of State, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University. Beginning with the 2013-2014 academic year, if a person is utilizing benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 or any subsequent variation of that Act, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2015-2016 academic year, if a person is utilizing benefits under the federal All-Volunteer Force Educational Assistance Program, then the Board shall deem that person an Illinois resident for tuition purposes. Beginning with the 2019-2020 academic year, per the federal requirements for maintaining approval for veterans' education benefits under 38 U.S.C. 3679(c), if a person is on active military duty or is receiving veterans' education benefits, then the Board of Trustees shall deem that person an Illinois resident for tuition purposes for any academic quarter, semester, or term, as applicable.

(c) The Board may adopt a policy to implement and administer this Section and may adopt a policy for the classification of in-state residents, for tuition purposes, based on residency in this State.

(d) The General Assembly finds and declares that this Section is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(Source: P.A. 101-424, eff. 8-16-19.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 461** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Harriss, E.	Rose	Wilcox
Bennett	McClure	Stoller	
Bryant	McConchie	Syverson	
Chesney	Plummer	Tracy	

Fowler Rezin Turner, S.

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

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

SENATE BILL RECALLED

On motion of Senator Morrison, **Senate Bill No. 692** was recalled from the order of third reading to the order of second reading.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 692

AMENDMENT NO. 1 . Amend Senate Bill 692 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-1115 as follows:

(20 ILCS 605/605-1115 new)

Sec. 605-1115. Task Force on Interjurisdictional Industrial Zoning Impacts.

(a) The General Assembly finds that industrial developments typically have regional impacts, both positive and negative. Those impacts extend beyond the zoning authority of the unit of local government where the development is located. Units of local government may experience impacts on public health, public safety, the environment, traffic, property values, population, and other considerations as a result of industrial development occurring outside of the their zoning jurisdiction, including areas adjacent to their borders.

(b) The Task Force on Interjurisdictional Industrial Zoning Impacts is created within the Department of Commerce and Economic Opportunity. The Task Force shall examine the following:

(1) current State and local zoning laws and policies related to large industrial developments;

(2) current State and local laws and policies related to annexation;

(3) State and local zoning and annexation laws and policies outside of Illinois;

(4) the potential impacts of large industrial developments on neighboring units of local government, including how those developments may affect residential communities;

(5) trends in industrial zoning across urban, suburban, and rural regions of Illinois;

(6) available methodologies to determine the impact of large industrial developments; and

(7) outcomes in recent zoning proceedings for large industrial developments or attempts to develop properties for large industrial purposes, including the recent attempt to convert a 101 acre campus in Lake County near Deerfield.

(c) The Task Force on Interjurisdictional Industrial Zoning Impacts shall consist of the following members:

(1) the Director of Commerce and Economic Opportunity or his or her designee;

(2) one member, appointed by the President of the Senate, representing a statewide organization of municipalities described in Section 1-8-1 of the Illinois Municipal Code;

(3) one member, appointed by the President of the Senate, representing a regional association of municipalities and mayors;

(4) one member, appointed by the Speaker of the House of Representatives, representing a statewide association representing counties;

(5) one member, appointed by the Speaker of the House of Representatives, representing a regional association of municipalities and mayors;

(6) one member, appointed by the Minority Leader of the Senate, representing a statewide professional economic development association;

(7) one member, appointed by the Minority Leader of the House of Representatives, representing a statewide association of park districts;

(8) one member representing the Office of the Governor, appointed by the Governor;

(9) one member of the Senate, appointed by the President of the Senate;

(10) one member of the Senate, appointed by the Minority Leader of the Senate;

(11) one member of the House of Representatives, appointed by the Speaker of the House of Representatives; and

(12) one member of the House of Representatives, appointed by the Minority Leader of the House of Representatives.

(d) The members of the Task Force shall serve without compensation. The Department of Commerce and Economic Opportunity shall provide administrative support to the Task Force.

(e) The Task Force shall meet at least once every 2 months. Upon the first meeting of the Task Force, the members of the Task Force shall elect a chairperson of the Task Force.

(f) The Task Force shall prepare a report on its findings concerning zoning for large industrial development and associated interjurisdictional impacts, including any recommendations. The report shall be submitted to the Governor and the General Assembly no later than December 31, 2025.

(g) This Section is repealed June 1, 2026.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 2 was held in the Committee on Assignments.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Morrison, **Senate Bill No. 692** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Castro, **Senate Bill No. 773** was recalled from the order of third reading to the order of second reading.

Senator Castro offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 773

AMENDMENT NO. 1 . Amend Senate Bill 773 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Sections 6.11 and 6.11B as follows:

(5 ILCS 375/6.11)

Sec. 6.11. Required health benefits; Illinois Insurance Code requirements. The program of health benefits shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.2, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 of the Illinois Insurance Code. The program of health benefits must comply with Sections 155.22a, 155.37, 355b, 356z.19, 370c, and 370c.1 and Article XXXIIB of the Illinois Insurance Code. The program of health benefits shall provide the coverage required under Section 356m of the Illinois Insurance Code and, for the employees of the State Employee Group Insurance Program only, the coverage as also provided in Section 6.11B of this Act. The Department of Insurance shall enforce the requirements of this Section with respect to Sections 370c and 370c.1 of the Illinois Insurance Code; all other requirements of this Section shall be enforced by the Department of Central Management Services.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-768, eff. 1-1-24; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-8, eff. 1-1-24; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

(5 ILCS 375/6.11B)

Sec. 6.11B. Infertility coverage.

(a) Beginning on January 1, 2024, the State Employees Group Insurance Program shall provide coverage for the diagnosis and treatment of infertility, including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer. The coverage required shall include procedures necessary to screen or diagnose a fertilized egg before implantation, including, but not limited to, preimplantation genetic diagnosis, preimplantation genetic screening, and prenatal genetic diagnosis.

(b) Beginning on January 1, 2024, coverage under this Section for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if the procedures:

(1) are considered medically appropriate based on clinical guidelines or standards developed by the American Society for Reproductive Medicine, the American College of Obstetricians and Gynecologists, or the Society for Assisted Reproductive Technology; and

(2) are performed at medical facilities or clinics that conform to the American College of Obstetricians and Gynecologists guidelines for in vitro fertilization or the American Society for Reproductive Medicine minimum standards for practices offering assisted reproductive technologies.

(c) As used in this Section, "infertility" means a disease, condition, or status characterized by:

(1) a failure to establish a pregnancy or to carry a pregnancy to live birth after 12 months of regular, unprotected sexual intercourse if the woman is 35 years of age or younger, or after 6 months of regular, unprotected sexual intercourse if the woman is over 35 years of age; conceiving but having a miscarriage does not restart the 12-month or 6-month term for determining infertility;

(2) a person's inability to reproduce either as a single individual or with a partner without medical intervention; or

(3) a licensed physician's findings based on a patient's medical, sexual, and reproductive history, age, physical findings, or diagnostic testing.

(d) The State Employees Group Insurance Program may not impose any exclusions, limitations, or other restrictions on coverage of fertility medications that are different from those imposed on any other prescription medications, nor may it impose any exclusions, limitations, or other restrictions on coverage of any fertility services based on a covered individual's participation in fertility services provided by or to a third party, nor may it impose deductibles, copayments, coinsurance, benefit maximums, waiting periods, or any other limitations on coverage for the diagnosis of infertility, treatment for infertility, and standard fertility preservation services, except as provided in this Section, that are different from those imposed upon benefits for services not related to infertility.

(e) This Section applies only to coverage provided on or after January 1, 2024 and before July 1, 2026.

(f) This Section is repealed on July 1, 2026.

(Source: P.A. 103-8, eff. 1-1-24.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:

(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 of the Illinois

Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:

(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, 356z.70, and 356z.71 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 25. The Illinois Insurance Code is amended by changing Sections 356m and 356z.32 and by adding Section 356z.71 as follows:

(215 ILCS 5/356m) (from Ch. 73, par. 968m)

Sec. 356m. Infertility coverage.

(a) No group policy of accident and health insurance providing coverage for more than 25 employees that provides pregnancy-related ~~pregnancy related~~ benefits may be issued, amended, delivered, or renewed in this State after January 1, 2016 and through December 31, 2025 ~~the effective date of this amendatory Act of the 99th General Assembly~~ unless the policy contains coverage for the diagnosis and treatment of infertility including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer.

(a-5) No group policy of accident and health insurance that provides pregnancy-related benefits may be issued, amended, delivered, or renewed in this State on or after January 1, 2026 unless the policy contains coverage for the diagnosis and treatment of infertility, including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, surgical sperm extraction procedures, and low tubal ovum transfer. The coverage required shall include procedures necessary to screen or diagnose a fertilized egg before implantation, including, but not limited to, preimplantation genetic testing for aneuploidy, preimplantation genetic testing for chromosome structural rearrangements, and preimplantation genetic

testing for monogenic or single gene disorders. Coverage under this subsection for the diagnosis and treatment of infertility shall be required only if the procedures:

(1) are considered medically appropriate by the patient's medical provider based on clinical guidelines or standards developed by the American Society for Reproductive Medicine, the American College of Obstetricians and Gynecologists, or the Society for Assisted Reproductive Technology; and

(2) are performed at medical facilities or clinics that are members in good standing of the Society for Assisted Reproductive Technology.

(b) The coverage required under subsection (a) for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if ~~is subject to the following conditions~~:

~~(1) Coverage for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if:~~

(1) ~~(A)~~ the covered individual has been unable to attain a viable pregnancy, maintain a viable pregnancy, or sustain a successful pregnancy through reasonable, less costly medically appropriate infertility treatments for which coverage is available under the policy, plan, or contract;

(2) ~~(B)~~ the covered individual has not undergone 4 completed oocyte retrievals, except that if a live birth follows a completed oocyte retrieval, then 2 more completed oocyte retrievals shall be covered; and

(3) ~~(C)~~ the procedures are performed at medical facilities that conform to the American College of Obstetric and Gynecology guidelines for in vitro fertilization clinics or to the American Fertility Society minimal standards for programs of in vitro fertilization.

~~(2) The procedures required to be covered under this Section are not required to be contained in any policy or plan issued to or by a religious institution or organization or to or by an entity sponsored by a religious institution or organization that finds the procedures required to be covered under this Section to violate its religious and moral teachings and beliefs.~~

(c) As used in this Section, "infertility" means a disease, condition, or status characterized by:

(1) a failure to establish a pregnancy or to carry a pregnancy to live birth after 12 months of regular, unprotected sexual intercourse if the woman is 35 years of age or younger, or after 6 months of regular, unprotected sexual intercourse if the woman is over 35 years of age; conceiving but having a miscarriage does not restart the 12-month or 6-month term for determining infertility;

(2) a person's inability to reproduce either as a single individual or with a partner without medical intervention; or

(3) a licensed physician's findings based on a patient's medical, sexual, and reproductive history, age, physical findings, or diagnostic testing.

(d) A policy, contract, or certificate may not impose any exclusions, limitations, or other restrictions on coverage of fertility medications that are different from those imposed on any other prescription medications, nor may it impose any exclusions, limitations, or other restrictions on coverage of any fertility services based on a covered individual's participation in fertility services provided by or to a third party, nor may it impose deductibles, copayments, coinsurance, benefit maximums, waiting periods, or any other limitations on coverage for the diagnosis of infertility, treatment for infertility, and standard fertility preservation services, except as provided in this Section, that are different from those imposed upon benefits for services not related to infertility.

(e) The procedures required to be covered under this Section are not required to be contained in any policy or plan issued to or by a religious institution or organization or to or by an entity sponsored by a religious institution or organization that finds the procedures required to be covered under this Section to violate its religious and moral teachings and beliefs.

(Source: P.A. 102-170, eff. 1-1-22.)

(215 ILCS 5/356z.71 new)

Sec. 356z.71. Coverage for annual menopause health visit. A group or individual policy of accident and health insurance providing coverage for more than 25 employees that is amended, delivered, issued, or renewed on or after January 1, 2026 shall provide, for individuals 45 years of age and older, coverage for an annual menopause health visit. A policy subject to this Section shall not impose a deductible, coinsurance, copayment, or any other cost-sharing requirement on the coverage provided; except that this Section does not apply to this coverage to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to Section 223 of the Internal Revenue Code.

Section 30. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

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

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 355.2, 355.3, 355b, 355c, 356f, 356g.5-1, 356m, 356q, 356v, 356w, 356x, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.30a, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.65, 356z.67, 356z.68, 356z.71, 364, 364.01, 364.3, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) In considering any management contract or service agreement subject to Section 141.1 of the Illinois Insurance Code, the Director (i) shall, in addition to the criteria specified in Section 141.2 of the Illinois Insurance Code, take into account the effect of the management contract or service agreement on the continuation of benefits to enrollees and the financial condition of the health maintenance organization to be

managed or serviced, and (ii) need not take into account the effect of the management contract or service agreement on competition.

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

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

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

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

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

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

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

Section 35. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

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

Sec. 4003. Illinois Insurance Code provisions. Limited health service organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.37, 155.49, 355.2, 355.3, 355b, 356m, 356q, 356v, 356z.4, 356z.4a, 356z.10, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.57, 356z.59, 356z.61, 356z.64, 356z.67, 356z.68, 356z.71, 364.3, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1 and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, and XXVI of the Illinois Insurance Code. Nothing in this Section shall require a limited health care plan to cover any service that is not a limited health service. For purposes of the Illinois Insurance Code, except for Sections 444 and 444.1 and Articles XIII and XIII 1/2, limited health service organizations in the following categories are deemed to be domestic companies:

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

(2) a corporation organized under the laws of another state, 30% or more of the enrollees of which are residents of this State, except a corporation subject to substantially the same requirements

in its state of organization as is a domestic company under Article VIII 1/2 of the Illinois Insurance Code.

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

Section 40. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows: (215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355b, 356g, 356g.5, 356g.5-1, 356m, 356q, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.32a, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 356z.71, 364.01, 364.3, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

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

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

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Castro, **Senate Bill No. 773** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 50; NAY 1.

The following voted in the affirmative:

Aquino	Feigenholtz	Koehler	Simmons
Belt	Fine	Lewis	Sims
Bennett	Fowler	Lightford	Stadelman
Bryant	Gillespie	Loughran Cappel	Toro
Castro	Glowiak Hilton	Martwick	Turner, D.
Cervantes	Halpin	McConchie	Turner, S.
Collins	Harris, N.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
Curran	Holmes	Peters	Villanueva
DeWitte	Hunter	Porfirio	Villivalam

Edly-Allen	Johnson	Preston	Mr. President
Ellman	Jones, E.	Rezin	
Faraci	Joyce	Rose	

The following voted in the negative:

Tracy

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

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

SENATE BILL RECALLED

On motion of Senator D. Turner, **Senate Bill No. 914** was recalled from the order of third reading to the order of second reading.

Senator D. Turner offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 914

AMENDMENT NO. 1 . Amend Senate Bill 914 by replacing everything after the enacting clause with the following:

"Section 5. The Wildlife Code is amended by changing Section 3.1-6 as follows:

(520 ILCS 5/3.1-6)

Sec. 3.1-6. Special deer, turkey, and combination hunting licenses.

(a) For the purpose of this Section:

"Bona fide equity member" means an individual who:

(1) (i) became a member upon the formation of the limited liability company or (ii) has purchased a distributional interest in a limited liability company for a value equal to the percentage of the appraised value of the LLC assets represented by the distributional interest in the LLC and subsequently becomes a member of the company under Article 30 of the Limited Liability Company Act; and

(2) intends to retain the membership for at least 5 years.

"Bona fide equity partner" means an individual who:

(1) (i) became a partner, either general or limited, upon the formation of a partnership or limited partnership, or (ii) has purchased, acquired, or been gifted a partnership interest accurately representing his or her percentage distributional interest in the profits, losses, and assets of a partnership or limited partnership;

(2) intends to retain ownership of the partnership interest for at least 5 years; and

(3) is a resident of this State.

"Bona fide equity shareholder" means an individual who:

(1) purchased, for market price, publicly sold stock shares in a corporation, purchased shares of a privately-held corporation for a value equal to the percentage of the appraised value of the corporate assets represented by the ownership in the corporation, or is a member of a closely-held family-owned corporation and has purchased or been gifted with shares of stock in the corporation accurately reflecting his or her percentage of ownership; and

(2) intends to retain the ownership of the shares of stock for at least 5 years.

"Family member" means a grandparent, parent, sibling, child, grandchild, uncle, aunt, niece, nephew, or first cousin.

"Family member landowner" means an individual who is a family member of a landowner and who owns collectively with any other of that individual's other family members at least 40 acres of land in a county in this State.

(b) Landowner Deer, Turkey, and combination permits shall be issued without charge to:

(1) Illinois landowners residing in this State who own at least 40 acres of Illinois land and wish to hunt upon their land only;

(2) resident tenants of at least 40 acres of commercial agricultural land where they will hunt; and

(3) bona fide equity shareholders of a corporation, bona fide equity members of a limited liability company, or bona fide equity partners of a general or limited partnership which owns at least 40 acres of land in a county in this State who wish to hunt on the corporation's, company's, or partnership's land only. One permit shall be issued without charge to one bona fide equity shareholder, one bona fide equity member, or one bona fide equity partner for each 40 acres of land owned by the corporation, company, or partnership in a county; however, the number of permits issued without charge to bona fide equity shareholders of any corporation or bona fide equity members of a limited liability company in any county shall not exceed 15, and shall not exceed 3 in the case of bona fide equity partners of a partnership.

Bona fide landowners or tenants who do not wish to hunt only on the land they own, rent, or lease or bona fide equity shareholders, bona fide equity members, or bona fide equity partners who do not wish to hunt only on the land owned by the corporation, limited liability company, or partnership shall be charged the same fee as the applicant who is not a landowner, tenant, bona fide equity shareholder, bona fide equity member, or bona fide equity partner. Nonresidents of this State who own at least 40 acres of land and wish to hunt on their land only shall be charged a fee set by administrative rule. The method for obtaining these permits shall be prescribed by administrative rule.

In addition to the permits otherwise issued under this subsection (b), the Department shall, upon request, issue to 2 additional family member landowners, who own with other family member landowners a parcel of at least 40 acres but who do not all reside on that property, a landowner deer, turkey, and combination permit for hunting only on that property at a cost of no more than the regular permit fee.

(c) The deer, turkey, or combination hunting permit issued without fee shall be valid on all farm lands which the person to whom it is issued owns, leases or rents, except that in the case of a permit issued to a bona fide equity shareholder, bona fide equity member, or bona fide equity partner, the permit shall be valid on all lands owned by the corporation, limited liability company, or partnership in the county.
(Source: P.A. 99-869, eff. 1-1-17.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator D. Turner, **Senate Bill No. 914** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

Curran	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Rezin	Wilcox
Edly-Allen	Jones, E.	Rose	Mr. President
Ellman	Joyce	Simmons	
Faraci	Koehler	Sims	

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

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

On motion of Senator Plummer, **Senate Bill No. 2617** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Hastings, **Senate Bill No. 2639** was recalled from the order of third reading to the order of second reading.

Senator Hastings offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2639

AMENDMENT NO. 1 . Amend Senate Bill 2639 by replacing everything after the enacting clause with the following:

"Section 5. The State Employees Group Insurance Act of 1971 is amended by changing Section 6.11B as follows:

(5 ILCS 375/6.11B)

Sec. 6.11B. Infertility coverage.

(a) Beginning on January 1, 2024, the State Employees Group Insurance Program shall provide coverage for the diagnosis and treatment of infertility, including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer. The coverage required shall include procedures necessary to screen or diagnose a fertilized egg before implantation, including, but not limited to, preimplantation genetic diagnosis, preimplantation genetic screening, and prenatal genetic diagnosis.

(b) Beginning on January 1, 2024, coverage under this Section for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if the procedures:

(1) are considered medically appropriate based on clinical guidelines or standards developed by the American Society for Reproductive Medicine, the American College of Obstetricians and Gynecologists, or the Society for Assisted Reproductive Technology; and

(2) are performed at medical facilities or clinics that conform to the American College of Obstetricians and Gynecologists guidelines for in vitro fertilization or the American Society for Reproductive Medicine minimum standards for practices offering assisted reproductive technologies.

(c) As used in this Section, "infertility" means a disease, condition, or status characterized by:

(1) a failure to establish a pregnancy or to carry a pregnancy to live birth after 12 months of regular, unprotected sexual intercourse if the woman is 35 years of age or younger, or after 6 months of regular, unprotected sexual intercourse if the woman is over 35 years of age; conceiving but having a miscarriage does not restart the 12-month or 6-month term for determining infertility;

(2) a person's inability to reproduce either as a single individual or with a partner without medical intervention; or

(3) a licensed physician's findings based on a patient's medical, sexual, and reproductive history, age, physical findings, or diagnostic testing.

(d) The State Employees Group Insurance Program may not impose any exclusions, limitations, or other restrictions on coverage of fertility medications that are different from those imposed on any other prescription medications, nor may it impose any exclusions, limitations, or other restrictions on coverage of any fertility services based on a covered individual's participation in fertility services provided by or to a third party, nor may it impose deductibles, copayments, coinsurance, benefit maximums, waiting periods, or any other limitations on coverage for the diagnosis of infertility, treatment for infertility, and standard fertility preservation services, except as provided in this Section, that are different from those imposed upon benefits for services not related to infertility.

(e) This Section applies only to coverage provided on or after July 1, 2024 and before July 1, 2026.

(f) This Section is repealed on July 1, 2026.

(Source: P.A. 103-8, eff. 1-1-24.)

Section 10. The Counties Code is amended by changing Section 5-1069.3 as follows:

(55 ILCS 5/5-1069.3)

Sec. 5-1069.3. Required health benefits. If a county, including a home rule county, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, and 356z.70 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this Section is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule county to which this Section applies must comply with every provision of this Section.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 15. The Illinois Municipal Code is amended by changing Section 10-4-2.3 as follows:
(65 ILCS 5/10-4-2.3)

Sec. 10-4-2.3. Required health benefits. If a municipality, including a home rule municipality, is a self-insurer for purposes of providing health insurance coverage for its employees, the coverage shall include coverage for the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, and 356z.70 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section. The requirement that health benefits be covered as provided in this is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution. A home rule municipality to which this Section applies must comply with every provision of this Section.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 20. The School Code is amended by changing Section 10-22.3f as follows:
(105 ILCS 5/10-22.3f)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356m, 356q, 356u, 356w, 356x, 356z.4, 356z.4a, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, ~~and~~ 356z.61, ~~and~~ 356z.62, 356z.64, 356z.67, 356z.68, and 356z.70 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section.

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

(Source: P.A. 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-813, eff. 5-13-22; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23; 102-1117, eff. 1-13-23; 103-84, eff. 1-1-24; 103-91, eff. 1-1-24; 103-420, eff. 1-1-24; 103-445, eff. 1-1-24; 103-535, eff. 8-11-23; 103-551, eff. 8-11-23; revised 8-29-23.)

Section 25. The Illinois Insurance Code is amended by changing Section 356m as follows:
(215 ILCS 5/356m) (from Ch. 73, par. 968m)

Sec. 356m. Infertility coverage.

(a) No group policy of accident and health insurance providing coverage for more than 25 employees that provides pregnancy related benefits may be issued, amended, delivered, or renewed in this State after January 1, 2016 through December 31, 2025 ~~the effective date of this amendatory Act of the 99th General Assembly~~ unless the policy contains coverage for the diagnosis and treatment of infertility including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer.

(b) The coverage required under subsection (a) for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if: ~~is subject to the following conditions:~~

~~(1) Coverage for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer shall be required only if:~~

(1) ~~(A)~~ the covered individual has been unable to attain a viable pregnancy, maintain a viable pregnancy, or sustain a successful pregnancy through reasonable, less costly medically appropriate infertility treatments for which coverage is available under the policy, plan, or contract;

(2) ~~(B)~~ the covered individual has not undergone 4 completed oocyte retrievals, except that if a live birth follows a completed oocyte retrieval, then 2 more completed oocyte retrievals shall be covered; and

(3) ~~(C)~~ the procedures are performed at medical facilities that conform to the American College of Obstetric and Gynecology guidelines for in vitro fertilization clinics or to the American Fertility Society minimal standards for programs of in vitro fertilization.

~~(2) The procedures required to be covered under this Section are not required to be contained in any policy or plan issued to or by a religious institution or organization or to or by an entity sponsored by a religious institution or organization that finds the procedures required to be covered under this Section to violate its religious and moral teachings and beliefs.~~

(c) No group policy of accident and health insurance that provides pregnancy related benefits may be issued, amended, delivered, or renewed in this State on or after January 1, 2026 unless the policy contains coverage for the diagnosis and treatment of infertility, including, but not limited to, in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer and procedures necessary to screen or diagnose a fertilized egg before implantation, including, but not limited to, preimplantation genetic diagnosis, preimplantation genetic screening, and prenatal genetic diagnosis. Coverage under this subsection for the diagnosis and treatment of infertility shall be required only if the procedures:

(1) are considered medically appropriate by the patient's medical provider based on clinical guidelines or standards developed by the American Society for Reproductive Medicine, the American College of Obstetricians and Gynecologists, or the Society for Assisted Reproductive Technology; and

(2) are performed at medical facilities or clinics that conform to the American College of Obstetricians and Gynecologists guidelines for in vitro fertilization or the American Society for Reproductive Medicine minimum standards for practices offering assisted reproductive technologies.

If the requirements of paragraphs (1) and (2) are met, then the procedure shall be covered without any restrictions or requirements.

(d) ~~(c)~~ As used in this Section, "infertility" means a disease, condition, or status characterized by:

(1) a failure to establish a pregnancy or to carry a pregnancy to live birth after 12 months of regular, unprotected sexual intercourse if the woman is 35 years of age or younger, or after 6 months of regular, unprotected sexual intercourse if the woman is over 35 years of age; conceiving but having a miscarriage does not restart the 12-month or 6-month term for determining infertility;

(2) a person's inability to reproduce either as a single individual or with a partner without medical intervention; or

(3) a licensed physician's findings based on a patient's medical, sexual, and reproductive history, age, physical findings, or diagnostic testing.

(e) ~~(d)~~ A policy, contract, or certificate may not impose any exclusions, limitations, or other restrictions on coverage of fertility medications that are different from those imposed on any other prescription medications, nor may it impose any exclusions, limitations, or other restrictions on coverage of any fertility services based on a covered individual's participation in fertility services provided by or to a third party, nor may it impose deductibles, copayments, coinsurance, benefit maximums, waiting periods, or any other limitations on coverage for the diagnosis of infertility, treatment for infertility, and standard

fertility preservation services, except as provided in this Section, that are different from those imposed upon benefits for services not related to infertility.

(f) The procedures required to be covered under this Section are not required to be contained in any policy or plan issued to or by a religious institution or organization or to or by an entity sponsored by a religious institution or organization that finds the procedures required to be covered under this Section to violate its religious and moral teachings and beliefs.

(Source: P.A. 102-170, eff. 1-1-22.)

Section 30. The Limited Health Service Organization Act is amended by changing Section 4003 as follows:

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

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

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

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

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

Section 35. The Voluntary Health Services Plans Act is amended by changing Section 10 as follows:

(215 ILCS 165/10) (from Ch. 32, par. 604)

Sec. 10. Application of Insurance Code provisions. Health services plan corporations and all persons interested therein or dealing therewith shall be subject to the provisions of Articles IIA and XII 1/2 and Sections 3.1, 133, 136, 139, 140, 143, 143c, 149, 155.22a, 155.37, 354, 355.2, 355.3, 355b, 356g, 356g.5, 356g.5-1, 356m, 356q, 356r, 356t, 356u, 356v, 356w, 356x, 356y, 356z.1, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.18, 356z.19, 356z.21, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30, 356z.30a, 356z.32, 356z.33, 356z.40, 356z.41, 356z.46, 356z.47, 356z.51, 356z.53, 356z.54, 356z.56, 356z.57, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.67, 356z.68, 364.01, 364.3, 367.2, 368a, 401, 401.1, 402, 403, 403A, 408, 408.2, and 412, and paragraphs (7) and (15) of Section 367 of the Illinois Insurance Code.

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

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

Section 99. Effective date. This Act takes effect December 31, 2025.".

The motion prevailed.

And the amendment was adopted and ordered printed.

Floor Amendment No. 2 was held in the Committee on Assignments.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Holmes, **Senate Bill No. 2641** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS 4.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney	Stoller
Curran	Syverson

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

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

VOTE RECORDED

Senator Anderson asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 3784**, on Wednesday, April 10, 2024.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cunningham, **Senate Bill No. 2654** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Murphy, **Senate Bill No. 2672** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

VOTE RECORDED

Senator Fowler asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 3784**, on Wednesday, April 10, 2024.

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Faraci, **Senate Bill No. 2737** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Edly-Allen, **Senate Bill No. 2747** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was postponed in the Committee on Agriculture.

Senator Edly-Allen offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2747

AMENDMENT NO. 2 . Amend Senate Bill 2747 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Exotic Weed Act is amended by changing Sections 1, 2, 3, 4, and 5 as follows:

(525 ILCS 10/1) (from Ch. 5, par. 931)

Sec. 1. Short Title. This Act shall be known and may be cited as the Illinois Exotic Weeds ~~Weed~~ Act.

(Source: P.A. 85-150.)

(525 ILCS 10/2) (from Ch. 5, par. 932)

Sec. 2. Definition. In this Act:

"Department" means the Department of Natural Resources.

"Exotic weeds" means ~~are~~ plants not native to North America which, when planted either spread vegetatively or naturalize and degrade natural communities, reduce the value of fish and wildlife habitat, or threaten an Illinois endangered or threatened species.

(Source: P.A. 85-150.)

(525 ILCS 10/3) (from Ch. 5, par. 933)

Sec. 3. Designation of ~~Designated~~ exotic weeds. The Department shall determine the plants that are exotic weeds for the purposes of this Act and shall compile and keep current a list of such exotic weeds, which list shall be published and incorporated in the rules of the Department. The Department ~~Japanese honeysuckle (Lonicera japonica), multiflora rose (Rosa multiflora), purple loosestrife (Lythrum salicaria), common buckthorn (Rhamnus cathartica), glossy buckthorn (Rhamnus frangula), saw-toothed buckthorn (Rhamnus arguta), dahurian buckthorn (Rhamnus davurica), Japanese buckthorn (Rhamnus japonica), Chinese buckthorn (Rhamnus utilis), kudzu (Pueraria lobata), exotic bush honeysuckles (Lonicera maackii, Lonicera tatarica, Lonicera morrowii, and Lonicera fragrantissima), exotic olives (Elaeagnus umbellata, Elaeagnus pungens, Elaeagnus angustifolia), salt cedar (all members of the Tamarix genus), poison hemlock (Conium maculatum), giant hogweed (Heracleum mantegazzianum), Oriental bittersweet (Celastrus orbiculatus), and lesser celandine (Ficaria verna), teasel (all members of the Dipsacus genus), and Japanese, giant, and Bohemian knotweed (Fallopia japonica, syn. Polygonum cuspidatum; Fallopia sachalinensis; and Fallopia x bohemica, resp.) are hereby designated exotic weeds. Upon petition the Director of Natural Resources~~, by rule, shall exempt varieties of any species listed in the rule ~~this Act~~ that can be demonstrated by published or current research not to be an exotic weed as defined in Section 2. The Department shall consult with the Department of Agriculture before adding or removing any plant from the exotic weed list by administrative rule. The Department may also consult with any group serving interests in agriculture, industry, conservation, ecology, or management regarding exotic weeds.

(Source: P.A. 99-81, eff. 1-1-16.)

(525 ILCS 10/4) (from Ch. 5, par. 934)

Sec. 4. Control of exotic weeds.

(a) It shall be unlawful for any person, corporation, political subdivision, agency or department of the State to buy, sell, offer for sale, distribute, or plant seeds, plants, or plant parts of exotic weeds without a permit issued by the Department ~~of Natural Resources~~. Such permits may ~~shall~~ be issued by the Department pursuant to administrative rule. ~~only:~~

~~(1) for experiments into controlling and eradicating exotic weeds;~~

~~(2) for research to demonstrate that a variety of a species listed in this Act is not an exotic weed as defined in Section 2; or~~

~~(3) for the use of exotic olive (Elaeagnus umbellata, Elaeagnus pungens, Elaeagnus angustifolia) berries in the manufacture of value added products, not to include the resale of whole berries or seeds. The exotic berry permit holder must register annually with the Department of Natural Resources and be able to demonstrate to the Department that seeds remaining post-manufacture are sterile or otherwise unviable.~~

(b) The commercial propagation of exotic weeds for sale outside Illinois, certified under the Insect Pest and Plant Disease Act, is exempted from the provisions of this Section.

(c) The Department ~~of Natural Resources~~ may adopt rules for the administration of this Act ~~Section~~.

(d) Notwithstanding any other provisions in this Section, to ~~for the~~ control ~~of~~ exotic weeds, a municipality may adopt an ordinance to eradicate on all public and private property within its geographic boundaries the exotic weeds listed in the rules of the Department ~~common buckthorn (Rhamnus cathartica), glossy buckthorn (Rhamnus frangula), saw-toothed buckthorn (Rhamnus arguta), dahurian buckthorn (Rhamnus davurica), Japanese buckthorn (Rhamnus japonica), and Chinese buckthorn (Rhamnus utilis) on all public and private property within its geographic boundaries~~.

(Source: P.A. 102-840, eff. 1-1-23.)

(525 ILCS 10/5) (from Ch. 5, par. 935)

Sec. 5. Penalty. Violators of this Act shall be guilty of a Class B misdemeanor. When the violation is a continuing offense, each day shall be considered a separate violation.

Exotic weeds offered for sale in Illinois except as provided in Section 4 are subject to confiscation and destruction by agents of the Department ~~of Natural Resources~~.

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

Section 10. The Pollinator-Friendly Solar Site Act is amended by changing Section 5 as follows:

(525 ILCS 55/5)

Sec. 5. Definitions. In this Act:

"Department" means the Department of Natural Resources.

"Exotic weed" has the same meaning ascribed to the term in Section 2 of the Illinois Exotic Weeds ~~Weed~~ Act.

"Noxious weed" has the same meaning ascribed to the term in Section 2 of the Illinois Noxious Weed Law.
(Source: P.A. 100-1022, eff. 8-21-18.)

Section 15. The Criminal and Traffic Assessment Act is amended by changing Section 1-5 as follows:
(705 ILCS 135/1-5)

Sec. 1-5. Definitions. In this Act:

"Assessment" means any costs imposed on a defendant under schedules 1 through 13 of this Act.

"Business offense" means any offense punishable by a fine in excess of $1,000 and for which a sentence of imprisonment is not an authorized disposition.

"Case" means all charges and counts filed against a single defendant which are being prosecuted as a single proceeding before the court.

"Count" means each separate offense charged in the same indictment, information, or complaint when the indictment, information, or complaint alleges the commission of more than one offense.

"Conservation offense" means any violation of the following Acts, Codes, or ordinances, except any offense punishable upon conviction by imprisonment in the penitentiary:

(1) Fish and Aquatic Life Code;

(2) Wildlife Code;

(3) Boat Registration and Safety Act;

(4) Park District Code;

(5) Chicago Park District Act;

(6) State Parks Act;

(7) State Forest Act;

(8) Forest Fire Protection District Act;

(9) Snowmobile Registration and Safety Act;

(10) Endangered Species Protection Act;

(11) Forest Products Transportation Act;

(12) Timber Buyers Licensing Act;

(13) Downstate Forest Preserve District Act;

(14) Illinois Exotic Weeds Act ~~Exotic Weed Act~~;

(15) Ginseng Harvesting Act;

(16) Cave Protection Act;

(17) ordinances adopted under the Counties Code for the acquisition of property for parks or recreational areas;

(18) Recreational Trails of Illinois Act;

(19) Herptiles-Herps Act; or

(20) any rule, regulation, proclamation, or ordinance adopted under any Code or Act named in paragraphs (1) through (19) of this definition.

"Conviction" means a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury.

"Drug offense" means any violation of the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or any similar local ordinance which involves the possession or delivery of a drug.

"Drug-related emergency response" means the act of collecting evidence from or securing a site where controlled substances were manufactured, or where by-products from the manufacture of controlled substances are present, and cleaning up the site, whether these actions are performed by public entities or private contractors paid by public entities.

"Electronic citation" means the process of transmitting traffic, misdemeanor, ordinance, conservation, or other citations and law enforcement data via electronic means to a circuit court clerk.

"Emergency response" means any incident requiring a response by a police officer, an ambulance, a firefighter carried on the rolls of a regularly constituted fire department or fire protection district, a firefighter of a volunteer fire department, or a member of a recognized not-for-profit rescue or emergency medical service provider. "Emergency response" does not include a drug-related emergency response.

"Felony offense" means an offense for which a sentence to a term of imprisonment in a penitentiary for one year or more is provided.

"Fine" means a pecuniary punishment for a conviction or supervision disposition as ordered by a court of law.

"Highest classified offense" means the offense in the case which carries the most severe potential disposition under Article 4.5 of Chapter V of the Unified Code of Corrections.

"Major traffic offense" means a traffic offense, as defined by paragraph (f) of Supreme Court Rule 501, other than a petty offense or business offense.

"Minor traffic offense" means a traffic offense, as defined by paragraph (f) of Supreme Court Rule 501, that is a petty offense or business offense.

"Misdemeanor offense" means any offense for which a sentence to a term of imprisonment in other than a penitentiary for less than one year may be imposed.

"Offense" means a violation of any local ordinance or penal statute of this State.

"Petty offense" means any offense punishable by a fine of up to $1,000 and for which a sentence of imprisonment is not an authorized disposition.

"Service provider costs" means costs incurred as a result of services provided by an entity including, but not limited to, traffic safety programs, laboratories, ambulance companies, and fire departments. "Service provider costs" includes conditional amounts under this Act that are reimbursements for services provided.

"Street value" means the amount determined by the court on the basis of testimony of law enforcement personnel and the defendant as to the amount of drug or materials seized and any testimony as may be required by the court as to the current street value of the cannabis, controlled substance, methamphetamine or salt of an optical isomer of methamphetamine, or methamphetamine manufacturing materials seized.

"Supervision" means a disposition of conditional and revocable release without probationary supervision, but under the conditions and reporting requirements as are imposed by the court, at the successful conclusion of which disposition the defendant is discharged and a judgment dismissing the charges is entered.

(Source: P.A. 100-987, eff. 7-1-19; 100-994, eff. 7-1-19; 100-1161, eff. 7-1-19.)

Section 20. The Wrongful Tree Cutting Act is amended by changing Sections 2 and 2.5 as follows:

(740 ILCS 185/2) (from Ch. 96 1/2, par. 9402)

Sec. 2. Except as provided in Sections 2.5, 2.7, and 7, any party found to have intentionally cut or knowingly caused to be cut any timber or tree, other than a tree or woody plant referenced in the Illinois Exotic Weeds ~~Weed~~ Act, which he or she did not have the legal right to cut or cause to be cut shall pay the owner of the timber or tree 3 times its stumpage value.

(Source: P.A. 101-102, eff. 7-19-19.)

(740 ILCS 185/2.5)

Sec. 2.5. Trees intentionally cut or knowingly caused to be cut on protected land. Any party found to have intentionally cut or knowingly caused to be cut any standing timber or tree, other than a tree or woody plant referenced in the Illinois Exotic Weeds ~~Weed~~ Act, on protected land, which he or she did not have the legal right to so cut or cause to be cut, must pay 3 times stumpage value plus remediation costs to the party that owns an interest in the land, including, but not limited to, holding a conservation right to the land. Remediation costs include one or more of the following:

(1) cleanup to remove trees, portions of trees, or debris from trees cut, damaged, moved, placed, or left as a result of tree cutting from perennial drainage ways or water holding basins;

(2) soil erosion stabilization and remediation for issues that were not pre-existing;

(3) remediation of damages to the native standing trees and other native woody or herbaceous plant understory;

(4) remediation of damages to the native tree understory through coppicing, planting of potted native trees, planting of native tree seedlings as individual practices or in combination as deemed appropriate under Section 3.5 of this Act. Any work under this item (4) must be done by a qualified professional forester or ecological restoration professional;

(5) associated exotic invasive plant species control for a period of 3 years with one treatment per year on those portions of the property where trees were wrongfully cut if prior to the encroachment there had been an active and ongoing effort made to control the plants, and due to the disturbance, advantage was given to pre-existing or new exotic invasive plant growth. Exotic plant control must be done by a qualified professional forester or ecological restoration professional;

(6) seeding of annual grass to skid trails; or

(7) staff salaries, contractor fees, and materials as directly related, documented, and required to address remediation costs under this Section.

(Source: P.A. 101-102, eff. 7-19-19.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Edly-Allen, **Senate Bill No. 2747** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney

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

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

SENATE BILL RECALLED

On motion of Senator McConchie, **Senate Bill No. 2751** was recalled from the order of third reading to the order of second reading.

Senator McConchie offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2751

AMENDMENT NO. 1 . Amend Senate Bill 2751 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-12022 as follows:

(55 ILCS 5/5-12022 new)

Sec. 5-12022. Building permit fee for veterans with a disability.

(a) A veteran with a disability or the veteran's caregiver shall not be charged any building permit fee for improvements to the residence of the veteran with a disability if the improvements are required to accommodate a disability of the veteran. Nothing in this subsection changes the obligation of any person to submit to the county applications, forms, or other paperwork to obtain a building permit. A veteran or caregiver must provide proof of veteran status and attest to the fact that the improvements to the residence are required to accommodate the veteran's disability. Proof of veteran status is to be construed liberally, and veteran status shall include service in the Armed Forces of the United States, National Guard, or the reserves of the Armed Forces of the United States.

(b) What constitutes proof of veteran status shall be determined by the county. The Illinois Department of Veterans' Affairs may not adjudicate any dispute arising under paragraph (a).

(c) A home rule county may not regulate building permit fees in a manner inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 10. The Township Code is amended by adding Section 110-17 as follows:

(60 ILCS 1/110-17 new)

Sec. 110-17. Building permit fee for veterans with a disability. A veteran with a disability or the veteran's caregiver shall not be charged any building permit fee for improvements to the residence of the veteran with a disability if the improvements are required to accommodate a disability of the veteran. Nothing in this Section changes the obligation of any person to submit to the township applications, forms, or other paperwork to obtain a building permit. A veteran or caregiver must provide proof of veteran status and attest to the fact that the improvements to the residence are required to accommodate the veteran's disability. Proof of veteran status is to be construed liberally, and veteran status shall include service in the Armed Forces of the United States, National Guard, or the reserves of the Armed Forces of the United States. What constitutes proof of veteran status shall be determined by the township. The Illinois Department of Veterans' Affairs may not adjudicate any dispute arising under this paragraph.

Section 15. The Illinois Municipal Code is amended by adding Section 11-13-28 as follows:

(65 ILCS 5/11-13-28 new)

Sec. 11-13-28. Building permit fee for veterans with a disability.

(a) A veteran with a disability or the veteran's caregiver shall not be charged any building permit fee for improvements to the residence of the veteran with a disability if the improvements are required to accommodate a disability of the veteran. Nothing in this subsection changes the obligation of any person to submit to the municipality applications, forms, or other paperwork to obtain a building permit. A veteran or caregiver must provide proof of veteran status and attest to the fact that the improvements to the residence are required to accommodate the veteran's disability. Proof of veteran status is to be construed liberally, and veteran status shall include service in the Armed Forces of the United States, National Guard, or the reserves of the Armed Forces of the United States.

(b) What constitutes proof of veteran status shall be determined by the municipality. The Illinois Department of Veterans' Affairs may not adjudicate any dispute arising under paragraph (a).

(c) A home rule municipality may not regulate building permit fees in a manner inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator McConchie, **Senate Bill No. 2751** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Martwick, **Senate Bill No. 2765** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 37; NAYS 19; Present 2.

The following voted in the affirmative:

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

The following voted in the negative:

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

The following voted present:

Glowiak Hilton
Loughran Cappel

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

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

On motion of Senator Hastings, **Senate Bill No. 2770** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 44; NAYS 13.

The following voted in the affirmative:

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

The following voted in the negative:

Bennett	Harriss, E.	Rose	Wilcox
Bryant	McClure	Stoller	
Chesney	McConchie	Tracy	
DeWitte	Plummer	Turner, S.	

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

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

On motion of Senator Ventura, **Senate Bill No. 2781** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS 2.

The following voted in the affirmative:

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

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

The following voted in the negative:

Chesney
Plummer

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

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

On motion of Senator Bennett, **Senate Bill No. 2862** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Villa, **Senate Bill No. 2876** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 2879** was recalled from the order of third reading to the order of second reading.

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 2879

AMENDMENT NO. 1 . Amend Senate Bill 2879 on page 1, by replacing lines 12 through 14 with "excess of $20,000 shall be let to the lowest responsible bidder after advertising as required under subsection (b) of this Section; except that, if the board of trustees seeks to purchase equipment directly from a dealer or an original manufacturer in excess of $50,000, then the contract for purchase shall be let to the lowest responsible bidder after advertising as required under subsection (b) of this Section. The board is not required to"; and

on page 3, lines 6 and 13, by replacing "$30,000 ~~$20,000~~" each time it appears with "$20,000"; and

on page 3, lines 23 and 24, by replacing "$30,000 ~~$20,000~~" with "$20,000"; and

on page 4, lines 6 and 15, by replacing "$30,000 ~~$20,000~~" each time it appears with "$20,000".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 2879** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 59; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Syverson, **Senate Bill No. 2907** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Aquino

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

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

Senator Collins asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 2907**.

On motion of Senator Ventura, **Senate Bill No. 2911** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Stadelman, **Senate Bill No. 2933** was recalled from the order of third reading to the order of second reading.

Senator Stadelman offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2933

AMENDMENT NO. 2 . Amend Senate Bill 2933, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, by replacing lines 4 through 6 with "not include debt charged to a credit card or an open-end or close-end extension of credit made by a financial institution to a borrower unless the open-end or close-end extension of credit may be used by the borrower".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Stadelman, **Senate Bill No. 2933** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Fine, **Senate Bill No. 2938** was recalled from the order of third reading to the order of second reading.

Floor Amendment No. 1 was held in the Committee on Assignments.

Senator Fine offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 2938

AMENDMENT NO. 2 . Amend Senate Bill 2938 by replacing everything after the enacting clause with the following:

"Section 5. The Mosquito Abatement District Act is amended by changing Sections 7, 8, and 10 as follows:

(70 ILCS 1005/7) (from Ch. 111 1/2, par. 80)

Sec. 7. The board of trustees of such district shall have power to take all necessary or proper steps for the surveillance and monitoring of ticks and the surveillance, monitoring, and extermination of mosquitoes and rats~~, flies or other insects~~ within the district, and, subject to the paramount control of the municipal or other public authorities, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes and rats~~, flies or other insects~~ within the district; to purchase such supplies and materials and to employ such labor and assistants as may be necessary or proper in furtherance of the objects of this Act, and if necessary or proper, in the furtherance of the same, to build, construct and thereafter to repair and maintain necessary levees, cuts, canals or channels upon any land within the district, and to acquire by purchase, condemnation or other lawful means, in the name of the district, any necessary lands, rights of

way, easements, property or material requisite or necessary for any such purpose; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers of this Act conferred or arising out of the use, taking or damage of such property for any such purposes, and generally to do any and all things necessary or incident to the powers hereby granted and to carry out the objects specified herein.
(Source: Laws 1927, p. 694.)

(70 ILCS 1005/8) (from Ch. 111 1/2, par. 81)

Sec. 8. The board of trustees of any mosquito abatement district shall, in its work, advise and cooperate with the Department ~~of Public Health of the State~~, and the board of trustees of such district shall submit to such Department, on or before January 1st of each year, a report of the work done and results obtained by the district during the preceding year.

The board of trustees of any mosquito abatement district, or its designee, for the limited purposes of cooperation with the Department, shall conduct routine surveillance of Department-identified vectors ~~mosquitoes~~ to detect the presence of vector-borne ~~mosquito borne~~ diseases of public health significance. The surveillance required by the Department under this Section does not grant a mosquito abatement district any greater independent authority to monitor and exterminate than those powers granted in Section 7, and a mosquito abatement district, or its designee, shall notify a forest preserve district or conservation district prior to or within 48 hours after accessing the respective forest preserve district's or conservation district's land for surveillance required by the Department. This notification requirement does not apply to mosquitoes, rats, or tick surveillance performed by the mosquito abatement district or its designee. The surveillance shall be conducted in accordance with mosquito abatement and control guidelines as set forth by the U.S. Centers for Disease Control and Prevention. Areas reporting disease in humans shall be included in the surveillance activities. Mosquito abatement districts shall report to the local certified public health department and the Department the results of any positive mosquito, tick, or vector samples infected with any arboviral or bacterial infections, including, but not limited to: West Nile Virus, St. Louis Encephalitis, ~~and~~ Eastern Equine Encephalitis, Borrelia burgdorferi, rickettsia species, ehrlichia species, and other vector-borne diseases. Reports shall be made to the local certified public health department's director of environmental health, or a designee of the department, within 24 hours after receiving a positive report. The report shall include the type of infection, the number of vectors ~~mosquitoes~~ collected in the trapping device, the type of trapping device used, and the type of laboratory testing used to confirm the infection. Any trustee of a mosquito abatement district, or designee of the board of trustees of a mosquito abatement district, that fails to comply with the requirements of this Act is guilty of a Class A Misdemeanor.

As used in this Section:

"Department" means the Department of Public Health.

"Vector" means any of the following that have been identified by the Department as necessary to be surveilled by a mosquito abatement district for the purposes of supporting the Department's mandate to investigate the causes of dangerously contagious or infectious diseases: arthropods, rodents, including rats and mice, birds, or other animals capable of carrying disease-producing organisms to a human or animal host. "Vector" does not include animals that transmit disease to humans only when used as human food.
(Source: P.A. 93-734, eff. 7-14-04.)

(70 ILCS 1005/10) (from Ch. 111 1/2, par. 83)

Sec. 10. Any territory lying adjacent and contiguous to a mosquito abatement district, and not part of another mosquito abatement district, may be annexed to such district in the following manner:

(a) Upon petition in writing, describing the territory proposed to be annexed and signed by a majority of the legal voters in such territory and by the owners of more than half of the taxable property in such territory as shown by the last ascertained equalized value of the taxable property in such territory, being filed with the trustees of such mosquito abatement district, such trustees may annex such territory by a resolution which shall be published at least once in a newspaper having a general circulation in the territory and shall include a notice of (1) the specific number of voters required to sign a petition requesting that the question of the adoption of the resolution be submitted to the electors of the territory; (2) the time in which the petition must be filed; and (3) the date of the prospective referendum. The county clerk of the county in which the territory is situated shall provide a petition form to any individual requesting one. The resolution shall be effective 30 days from the date of publication and is subject to a referendum, if such referendum is requested, prior to the effective date of the resolution, by the voters in the district equal to 10% or more of the registered voters in the district. Such trustees may also order the question of the annexation of such territory to be submitted to the legal voters of such district at a regular election therein by certifying the

question to the proper election officials. Notice of such election shall be given and the election conducted in the manner provided by the general election law. The proposition shall be stated, "Shall the territory (describing it) be annexed to The .... Mosquito Abatement District?" If the majority of all the votes cast on the question is in favor of such annexation, the board of trustees shall so certify to the county clerk, and within ten days of such election the trustees by an order duly entered upon their records shall annex such territory to the district and shall file a map of the annexed territory in the office of the county clerk of the county where the annexed territory is situated. Thereupon such territory shall be deemed annexed to and shall be a part of such mosquito abatement district.

(b) Whenever a mosquito abatement district operating within territory predominantly in a municipality or 2 or more municipalities that would become coterminous or nearly coterminous with the municipality or municipalities upon the annexation of additional territory within the municipality or municipalities ~~contains over 90% of territory of a specific city or village, the mosquito abatement district may annex additional adjacent and contiguous territory within that city or village~~, but not incorporated within a mosquito abatement district, the mosquito abatement district may annex the additional territory by the passage of an ordinance to that effect. The ordinance shall describe the territory annexed together with an accurate map of the annexed territory.

The ordinance authorizing the annexation shall be published within 10 days after the ordinance has been adopted~~,~~ in one or more newspapers having a general circulation within the territory. The publication of the ordinance shall be accompanied by a notice of (1) the specific number of voters required to sign a petition requesting the question of annexation; (2) the time within which the petition must be filed; and (3) the date of the prospective referendum. The county clerk of the county in which the territory is situated shall provide a petition form to any individual requesting one.

The ordinance shall take effect 30 days after the date of publication unless a referendum is requested prior to the effective date of the ordinance by 10% or more of the registered voters in the territory. The question of the annexation of the territory may be submitted to the legal voters of the territory at a regular election by certifying the question to the proper election officials. Notice of the election shall be given and the election conducted in the manner provided by the general election law. The proposition shall be stated, "Shall the territory (describing it) be annexed to The .... Mosquito Abatement District?" If the majority of ~~all the~~ votes cast on the question is in favor of the annexation, the territory shall be deemed annexed to and shall be a part of the mosquito abatement district. If the ordinance becomes effective 30 days after the date of publication or is approved by referendum, a copy of the ordinance shall be filed in the offices of the county clerk and recorder of each county in which the annexation takes place.

No territory may be annexed under this subsection ~~(i) more than one year after it has first been included in that city or village unless the territory so annexed is 50 acres or less or (ii)~~ if the annexation would expand the mosquito abatement district's boundaries outside of a county unless the district already contains territory in that county.

(Source: P.A. 95-664, eff. 10-11-07.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Fine, **Senate Bill No. 2938** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Feigenholtz	Lewis	Sims
Aquino	Fine	Lightford	Stadelman

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

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

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

On motion of Senator Cunningham, **Senate Bill No. 2979** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 46; NAYS 13.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	DeWitte	Rezin	Turner, S.
Bennett	Harriss, E.	Rose	
Bryant	McClure	Stoller	
Chesney	Plummer	Syverson	

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

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

Senator Fowler asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 2979**.

On motion of Senator Villanueva, **Senate Bill No. 3081** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator D. Turner, **Senate Bill No. 3134** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Castro, **Senate Bill No. 3136** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 43; NAYS 15.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Fowler	McConchie	Syverson
Bennett	Harriss, E.	Plummer	Tracy
Bryant	Lewis	Rose	Wilcox
Chesney	McClure	Stoller	

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

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

On motion of Senator Fine, **Senate Bill No. 3137** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Johnson, **Senate Bill No. 3156** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 42; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

On motion of Senator Hastings, **Senate Bill No. 3175** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

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

SENATE BILL RECALLED

On motion of Senator Hunter, **Senate Bill No. 3203** was recalled from the order of third reading to the order of second reading.

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3203

AMENDMENT NO. 2 . Amend Senate Bill 3203, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 4, line 19, by replacing "$25 dollars" with "$25".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Hunter, **Senate Bill No. 3203** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 53; NAYS 2.

The following voted in the affirmative:

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

The following voted in the negative:

Chesney
Stoller

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

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

Senator Hastings asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3203**.

MOTION IN WRITING

Senator Morrison submitted the following Motion in Writing:

Pursuant to Senate Rule 7-15(a), having voted on the prevailing side, I move to reconsider the vote by which SB 692 passed.

s/Julie Morrison
Senator

04-11-24
Date

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

SENATE BILL RECALLED

On motion of Senator Villa, **Senate Bill No. 3208** was recalled from the order of third reading to the order of second reading.

Senator Villa offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3208

AMENDMENT NO. 1 . Amend Senate Bill 3208 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Wage Payment and Collection Act is amended by changing Sections 2, 10, and 14 as follows:

(820 ILCS 115/2) (from Ch. 48, par. 39m-2)

Sec. 2. Definitions. For all employees, other than separated employees, "wages" shall be defined as any compensation owed an employee by an employer pursuant to an employment contract or agreement between the 2 parties, whether the amount is determined on a time, task, piece, or any other basis of calculation. Payments to separated employees shall be termed "final compensation" and shall be defined as wages, salaries, earned commissions, earned bonuses, and the monetary equivalent of earned vacation and earned holidays, and any other compensation owed the employee by the employer pursuant to an employment contract or agreement between the 2 parties. Where an employer is legally committed through a collective bargaining agreement or otherwise to make contributions to an employee benefit, trust or fund on the basis of a certain amount per hour, day, week or other period of time, the amount due from the employer to such employee benefit, trust, or fund shall be defined as "wage supplements", subject to the wage collection provisions of this Act.

As used in this Act, the term "employer" shall include any individual, partnership, association, corporation, limited liability company, business trust, employment and labor placement agencies where wage payments are made directly or indirectly by the agency or business for work undertaken by employees under hire to a third party pursuant to a contract between the business or agency with the third party, or any

person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which one or more persons is gainfully employed.

As used in this Act, the term "employee" shall include any individual permitted to work by an employer in an occupation, but shall not include any individual:

(1) who has been and will continue to be free from control and direction over the performance of his work, both under his contract of service with his employer and in fact; and

(2) who performs work which is either outside the usual course of business or is performed outside all of the places of business of the employer unless the employer is in the business of contracting with third parties for the placement of employees; and

(3) who is in an independently established trade, occupation, profession or business.

"Pay stub" means an itemized statement or statements reflecting an employee's hours worked, rate of pay, overtime pay and overtime hours worked, gross wages earned, deductions made from the employee's wages, and the total of wages and deductions year to date.

The following terms apply to an employer's use of payroll cards to pay wages to an employee under the requirements of this Act:

"Payroll card" means a card provided to an employee by an employer or other payroll card issuer as a means of accessing the employee's payroll card account.

"Payroll card account" means an account that is directly or indirectly established through an employer and to which deposits of a participating employee's wages are made.

"Payroll card issuer" means a bank, financial institution, or other entity that issues a payroll card to an employee under an employer payroll card program.

(Source: P.A. 98-862, eff. 1-1-15.)

(820 ILCS 115/10) (from Ch. 48, par. 39m-10)

Sec. 10.

(a) Employers shall notify employees, at the time of hiring, of the rate of pay and of the time and place of payment. Whenever possible, such notification shall be in writing and shall be acknowledged by both parties. Employers shall also notify employees of any changes in the arrangements, specified above, prior to the time of change.

(b) Employers shall keep records of names and addresses of all employees and of wages paid each payday, and shall furnish each employee with a pay stub ~~an itemized statement of deductions made from his wages~~ for each pay period.

(c) An employer shall maintain a copy of an employee's pay stub for a period of not less than 3 years after the date of payment, regardless of whether the employee's employment ends during this period, whether the pay stub is furnished electronically or in paper form.

(d) In addition to furnishing a pay stub for each pay period as required under subsection (b), an employer shall furnish copies of pay stubs to current and former employees as follows:

(1) An employer shall provide an employee with a copy of the employee's pay stubs upon the employee's request. The employer may require that the employee submit the request in writing. The employer shall furnish the copy of the pay stubs to the employee by the end of the next pay period following the employee's request. An employer is not required to grant an employee's request for a copy of pay stubs more than twice in a 12-month period.

(2) An employer shall provide a former employee with a copy of the former employee's previous pay stubs upon the former employee's request. The employer shall furnish the copy of the pay stubs to the former employee by the end of the following pay period following the former employee's request. An employer is not required to grant a former employee's request for a copy of pay stubs more than twice in a 12-month period or more than one year after the date of separation. The employer shall provide the copy of the pay stubs in either a physical or electronic format, as chosen by the former employee, including a communication that is transmitted through electronic mail, text message, computer system, or is otherwise sent and stored electronically and is capable of being downloaded or permanently retained by the former employee.

(3) An employer who furnishes electronic pay stubs in a manner that a former employee cannot access for at least a full year after separation shall, upon an employee's separation from employment, offer to provide the outgoing employee with a record of all of the outgoing employee's pay stubs from the year preceding the date of separation. The offer shall be made to the outgoing employee by the end of the outgoing employee's final pay period. An employer shall record in writing the date on

which this offer was made to the outgoing employee and if and how the outgoing employee responded.

(e) Every employer shall post and keep posted at each regular place of business in a position easily accessible to all employees one or more notices indicating the regular paydays and the place and time for payment of his employees, and on forms supplied from time to time by the Department of Labor containing a copy or summary of the provisions of this Act.

(Source: P.A. 81-593.)

(820 ILCS 115/14) (from Ch. 48, par. 39m-14)

Sec. 14. Penalties.

(a) Any employee not timely paid wages, final compensation, or wage supplements by his or her employer as required by this Act shall be entitled to recover through a claim filed with the Department of Labor or in a civil action, but not both, the amount of any such underpayments and damages of 5% of the amount of any such underpayments for each month following the date of payment during which such underpayments remain unpaid. In a civil action, such employee shall also recover costs and all reasonable attorney's fees.

(a-5) In addition to the remedies provided in subsections (a), (b), and (c) of this Section, any employer or any agent of an employer, who, being able to pay wages, final compensation, or wage supplements and being under a duty to pay, willfully ~~wilfully~~ refuses to pay as provided in this Act, or falsely denies the amount or validity thereof or that the same is due, with intent to secure for himself or other person any underpayment of such indebtedness or with intent to annoy, harass, oppress, hinder, delay or defraud the person to whom such indebtedness is due, upon conviction, is guilty of:

(1) for unpaid wages, final compensation or wage supplements in the amount of $5,000 or less, a Class B misdemeanor; or

(2) for unpaid wages, final compensation or wage supplements in the amount of more than $5,000, a Class A misdemeanor.

Each day during which any violation of this Act continues shall constitute a separate and distinct offense.

Any employer or any agent of an employer who violates this Section of the Act a subsequent time within 2 years of a prior criminal conviction under this Section is guilty, upon conviction, of a Class 4 felony.

(b) Any employer who has been demanded or ordered by the Department or ordered by the court to pay wages, final compensation, or wage supplements due an employee shall be required to pay a non-waivable administrative fee to the Department of Labor in the amount of $250 if the amount ordered by the Department as wages owed is $3,000 or less; $500 if the amount ordered by the Department as wages owed is more than $3,000, but less than $10,000; and $1,000 if the amount ordered by the Department as wages owed is $10,000 or more. Any employer who has been so demanded or ordered by the Department or ordered by a court to pay such wages, final compensation, or wage supplements and who fails to seek timely review of such a demand or order as provided for under this Act and who fails to comply within 15 calendar days after such demand or within 35 days of an administrative or court order is entered shall also be liable to pay a penalty to the Department of Labor of 20% of the amount found owing and a penalty to the employee of 1% per calendar day of the amount found owing for each day of delay in paying such wages to the employee. All moneys recovered as fees and civil penalties under this Act, except those owing to the affected employee, shall be deposited into the Wage Theft Enforcement Fund, a special fund which is hereby created in the State treasury. Moneys in the Fund may be used for enforcement of this Act and for outreach and educational activities of the Department related to the recovery of unpaid or underpaid compensation and the disbursement of moneys to affected parties.

(b-5) Penalties and fees under this Section may be assessed by the Department and recovered in a civil action brought by the Department in any circuit court or in any administrative adjudicative proceeding under this Act. In any such civil action or administrative adjudicative proceeding under this Act, the Department shall be represented by the Attorney General.

(c) Any employer, or any agent of an employer, who discharges or in any other manner discriminates against any employee because that employee has made a complaint to his or her employer, to the Director of Labor or his or her authorized representative, in a public hearing, or to a community organization that he or she has not been paid in accordance with the provisions of this Act, or because that employee has caused to be instituted any proceeding under or related to this Act, or because that employee has testified or is about to testify in an investigation or proceeding under this Act, is guilty, upon conviction, of a Class C

misdemeanor. An employee who has been unlawfully retaliated against shall be entitled to recover through a claim filed with the Department of Labor or in a civil action, but not both, all legal and equitable relief as may be appropriate. In a civil action, such employee shall also recover costs and all reasonable attorney's fees.

(d) Except as provided under subsections (a), (b), and (c), an employer who fails to furnish an employee or former employee with a pay stub as required by this Act or commits any other violation of this Act shall be subject to a civil penalty of up to $500 per violation payable to the Department. In determining the amount of the penalty under this subsection, the Department shall consider the appropriateness of the penalty to the size of the business of the employer charged and the gravity of the violation.

(Source: P.A. 102-50, eff. 7-9-21; 103-182, eff. 6-30-23.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Villa, **Senate Bill No. 3208** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 41; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Cervantes, **Senate Bill No. 3211** was recalled from the order of third reading to the order of second reading.

Senator Cervantes offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3211

AMENDMENT NO. 1 . Amend Senate Bill 3211 by replacing everything after the enacting clause with the following:

"Section 5. The Marriage and Family Therapy Licensing Act is amended by changing Section 65 as follows:

(225 ILCS 55/65) (from Ch. 111, par. 8351-65)

(Section scheduled to be repealed on January 1, 2027)

Sec. 65. Endorsement. The Department may issue a license as a licensed marriage and family therapist, without the required examination, to an applicant licensed under the laws of another state if the requirements for licensure in that state are, on the date of licensure, substantially equivalent to the requirements of this Act or to a person who, at the time of his or her application for licensure, possessed individual qualifications that were substantially equivalent to the requirements then in force in this State. An applicant under this Section shall pay all of the required fees.

An individual applying for licensure as a licensed marriage and family therapist who has been licensed without discipline at the independent level in another United States jurisdiction for at least 30 months during the 5 consecutive years preceding application ~~without discipline~~ is not required to submit proof of completion of the education, professional experience, and supervision required in Section 40. Individuals meeting this requirement ~~with 5 consecutive years of experience~~ must submit certified verification of licensure from the jurisdiction in which the applicant practiced and must comply with all other licensing requirements and pay all required fees.

If the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure may be required to provide additional information.

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

(Source: P.A. 102-1053, eff. 6-10-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Cervantes, **Senate Bill No. 3211** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

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

On motion of Senator Peters, **Senate Bill No. 3285** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 34; NAYS 18.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

Senator Preston asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3285**.

Senator Collins asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 3285**.

SENATE BILL RECALLED

On motion of Senator Simmons, **Senate Bill No. 3310** was recalled from the order of third reading to the order of second reading.

Senator Simmons offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3310

AMENDMENT NO. 2 . Amend Senate Bill 3310, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 1, line 9, by replacing "3" with "2".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Simmons, **Senate Bill No. 3310** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 38; NAYS 18.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

Senator Aquino asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3310**.

On motion of Senator Murphy, **Senate Bill No. 3318** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stadelman
Aquino	Fowler	Loughran Cappel	Stoller

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

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

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

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 3353** was recalled from the order of third reading to the order of second reading.

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 3353

AMENDMENT NO. 4 . Amend Senate Bill 3353, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Community-Based Corrections Task Force Act.

Section 5. Community-Based Corrections Task Force; creation. The Community-Based Corrections Task Force is created. The Task Force shall study and develop innovative ways to introduce community-based corrections and rehabilitation into the State's correctional system and develop a community-based correctional program that would support or remove barriers to community-based corrections in Illinois, with a focus on pretrial services and those sentenced to probation.

Section 10. Task Force; duties. The Task Force shall have the following duties:

(1) Engage community organizations, interested groups, and members of the public for the purpose of assessing:

(A) community-based alternatives to detention and the adoption and implementation of such alternatives; and

(B) the benefits of specialty courts in rehabilitating justice involved individuals.

(2) Review available research and data on the efficacy of community-based alternatives to detention at the local, State, and national level.

(3) Make recommendations or suggestions for changes to the Code of Criminal Procedure of 1963, the Unified Code of Correction, and other relevant statutes.

Section 15. Task Force members.

(a) The Task Force shall consist of the following members:

(1) 4 members appointed by the Senate President, including 2 members of the Senate and 2 members of the public, with one member of the Senate, appointed by the Senate President, to serve as chair of the Task Force;

(2) 4 members appointed by the Senate Minority Leader, including 2 members of the Senate and 2 members of the public;

(3) 4 members appointed by the Speaker of the House, including 2 members of the House and 2 members of the public;

(4) 4 members appointed by the Minority Leader of the House of Representatives, including 2 members of the House and 2 members of the public;

(5) a member appointed by the Prisoner Review Board;

(6) a member appointed by the Illinois Criminal Justice Information Authority;

(7) a member from a statewide organization that represents public defenders appointed by the State Appellate Defender;

(8) a member who represents problem-solving courts appointed by the Administrative Office of the Illinois Courts;

(9) a member who represents an organization that provides reentry services appointed by the Department of Corrections Parole Division;

(10) a member appointed by the Governor's Office of Management and Budget;

(11) 5 graduates of specialty courts appointed by the Governor;

(12) 2 retired specialty court judges appointed by the Governor;

(13) the Executive Director of the Illinois Sentencing Policy Advisory Council, or his or her designee;

(14) a member who represents the State's Attorneys Association appointed by the Governor;

(15) a member who represents the Illinois Sheriffs' Association appointed by the Governor;

(16) a member who represents downstate courts appointed by the Governor;

(17) a member who represents Cook County Courts appointed by the Governor; and

(18) a member who represents adult probation appointed by the Governor.

(b) Appointments to the Task Force shall be made within 90 days after the effective date of this Act.

(c) The Task Force shall meet no less than 5 times.

(d) The members of the Task Force shall serve without compensation.

(e) The Illinois Criminal Justice Information Authority shall provide administrative and technical support for the Task Force and is responsible for ensuring that the requirements of the Task Force are met.

Section 20. Report.

(a) On or before December 31, 2025, the Task Force shall publish a final report of its findings, developments, and recommendations and after the publication of its final report the Task Force shall be dissolved. The report shall, at a minimum, detail findings and recommendations related to the duties of the Task Force and the following:

(1) information and recommendations related to the benefits of community-based corrections and specialty courts; and

(2) the development and implementation of a new community-based corrections program.

(b) The final report shall be shared with the following:

(1) the General Assembly; and

(2) the Offices of the Governor and Lieutenant Governor.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 3353** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Collins, **Senate Bill No. 3367** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

Senator Peters asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on **Senate Bill No. 3367**.

SENATE BILL RECALLED

On motion of Senator Martwick, **Senate Bill No. 3455** was recalled from the order of third reading to the order of second reading.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3455

AMENDMENT NO. 1 . Amend Senate Bill 3455 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by adding Section 2505-815 as follows:

(20 ILCS 2505/2505-815 new)

Sec. 2505-815. Property tax system study. The Department, in consultation with the Department of Commerce and Economic Opportunity, shall conduct a study to evaluate the property tax system in the State and shall analyze any information collected in connection with that study. The Department may also examine whether the existing property tax levy, assessment, appeal, and collection process is reasonable and fair and may issue recommendations to improve that process. For purposes of conducting the study and analyzing the data required under this Section, the Department may determine the scope of the historical data necessary to complete the study, but in no event shall the scope or time period be less than the 10 most recent tax years for which the Department has complete data. The study shall include, but need not be limited to, the following:

(1) a comprehensive review of the classification system used by Cook County in assessing real property in Cook County compared with the rest of the State, including, but not limited to, a projection of the impact, if any, that the assessment of real property in Cook County would exhibit if the classification system were to be phased-out and transitioned to a uniform level of assessment, and the impact, if any, that the Cook County classification system has or has had on economic development or job creation in the county;

(2) a comprehensive review of State laws concerning the appeal of assessments at the local and State level and State laws concerning the collection of property taxes, including any issues that have resulted in delays in issuing property tax bills;

(3) a comprehensive review of statewide assessment processes, including a comparison of assessment process in Cook County and other counties and practices in other states that allow for standardized assessment processes;

(4) a comprehensive review of current property tax homestead exemptions, the impact of those exemptions, and the administration or application of those exemptions;

(5) an analysis of preferential assessments or incentives, including, but not limited to, the resultant economic impact from preferential assessments; and

(6) a review of the State's reliance on property taxes and the historical growth in property tax levies.

The Department may consult with Illinois institutions of higher education in conducting the study required under this Section. The Department may also consult with units of local government. To the extent practicable and where applicable, the Department may request relevant, publicly available property tax information from units of local government, including counties and municipalities, that is deemed necessary to complete the study required pursuant to this Section. Units of local government that are required to submit property tax information to the Department must do so in a reasonably expedient manner, to the extent possible, but in no event later than 60 days after the date upon which the Department requests that relevant information.

The Department may complete a preliminary report that may be made available for public inspection via electronic means prior to the publication of the final report under this Section. The Department shall complete and submit the final report under this Section to the Governor and the General Assembly by July 1, 2026. A copy of both the preliminary report, if made available by the Department, and the final report shall be made available to the public via electronic means. The Department may allow for the submission of public comments from individuals, organizations, or associations representing residential property owners, commercial property owners, units of local government, or labor unions in Illinois prior to finalizing the final report under this Section and after publication of the final report under this Section. If the Department

allows for the submission of public comments, the Department shall publish via electronic means any and all materials submitted to the Department.

This Section is repealed on December 31, 2026.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Martwick, **Senate Bill No. 3455** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Villivalam, **Senate Bill No. 3467** was recalled from the order of third reading to the order of second reading.

Senator Villivalam offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3467

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

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

(225 ILCS 110/3.5)

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

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

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

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

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

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

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

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

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

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

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

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

(225 ILCS 110/8.5)

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

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

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

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

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

(225 ILCS 110/8.6)

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

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

(a) An applicant for licensure as a speech-language pathology assistant must have earned 60 semester credit hours in a program of study that includes general education and the specific knowledge and skills for

a speech-language pathology assistant. The curriculum of a speech-language pathology assistant program must include all of the following content, as further provided by rule promulgated by the Department:

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

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

(3) Completion of at least 100 hours of supervised field work experiences supervised by a licensed speech-language pathologist at least 50% of the time when the student is engaged in contact with the patient or client. An applicant must obtain written verification demonstrating successful completion of the required field work experience, including a description of the setting in which the training was received and an assessment of the student's technical proficiency.

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

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

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Villivalam, **Senate Bill No. 3467** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

Faraci	Koehler	Simmons
Feigenholtz	Lewis	Sims

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

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

On motion of Senator Sims, **Senate Bill No. 3471** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Ellman, **Senate Bill No. 3501** was recalled from the order of third reading to the order of second reading.

Senator Ellman offered the following amendment and moved its adoption:

AMENDMENT NO. 4 TO SENATE BILL 3501

AMENDMENT NO. 4 . Amend Senate Bill 3501, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 3, on page 5, line 17, by replacing "owned, leased, or managed" with "owned and managed".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendment No. 4 was ordered engrossed, and the bill, as amended, was ordered to a third reading.

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Ellman, **Senate Bill No. 3501** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAYS None.

The following voted in the affirmative:

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

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

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

Senator Ellman asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 3501**.

On motion of Senator Hastings, **Senate Bill No. 3538** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Feigenholtz, **Senate Bill No. 3552** was recalled from the order of third reading to the order of second reading.

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3552

AMENDMENT NO. 3 . Amend Senate Bill 3552, AS AMENDED, 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 2605-51 as follows:

(20 ILCS 2605/2605-51)

Sec. 2605-51. Division of the Academy and Training.

(a) The Division of the Academy and Training shall exercise, but not be limited to, the following functions:

(1) Oversee and operate the Illinois State Police Training Academy.

(2) Train and prepare new officers for a career in law enforcement, with innovative, quality training and educational practices.

(3) Offer continuing training and educational programs for Illinois State Police employees.

(4) Oversee the Illinois State Police's recruitment initiatives.

(5) Oversee and operate the Illinois State Police's quartermaster.

(6) Duties assigned to the Illinois State Police in Article 5, Chapter 11 of the Illinois Vehicle Code concerning testing and training officers on the detection of impaired driving.

(7) Duties assigned to the Illinois State Police in Article 108B of the Code of Criminal Procedure.

(a-5) Successful completion of the Illinois State Police Academy satisfies the minimum standards pursuant to subsections (a), (b), and (d) of Section 7 of the Illinois Police Training Act and exempts State police officers from the Illinois Law Enforcement Training Standards Board's State Comprehensive Examination and Equivalency Examination. Satisfactory completion shall be evidenced by a commission or certificate issued to the officer.

(b) The Division of the Academy and Training shall exercise the rights, powers, and duties vested in the former Division of State Troopers by Section 17 of the Illinois State Police Act.

(c) Specialized training.

(1) Training; cultural diversity. The Division of the Academy and Training shall provide training and continuing education to State police officers concerning cultural diversity, including sensitivity toward racial and ethnic differences. This training and continuing education shall include, but not be limited to, an emphasis on the fact that the primary purpose of enforcement of the Illinois Vehicle Code is safety and equal and uniform enforcement under the law.

(2) Training; death and homicide investigations. The Division of the Academy and Training shall provide training in death and homicide investigation for State police officers. Only State police officers who successfully complete the training may be assigned as lead investigators in death and homicide investigations. Satisfactory completion of the training shall be evidenced by a certificate issued to the officer by the Division of the Academy and Training. The Director shall develop a process for waiver applications for officers whose prior training and experience as homicide investigators may qualify them for a waiver. The Director may issue a waiver, at his or her discretion, based solely on the prior training and experience of an officer as a homicide investigator.

(A) The Division shall require all homicide investigator training to include instruction on victim-centered, trauma-informed investigation. This training must be implemented by July 1, 2023.

(B) The Division shall cooperate with the Division of Criminal Investigation to develop a model curriculum on victim-centered, trauma-informed investigation. This curriculum must be implemented by July 1, 2023.

(3) Training; police dog training standards. All police dogs used by the Illinois State Police for drug enforcement purposes pursuant to the Cannabis Control Act, the Illinois Controlled Substances Act, and the Methamphetamine Control and Community Protection Act shall be trained by programs that meet the certification requirements set by the Director or the Director's designee. Satisfactory completion of the training shall be evidenced by a certificate issued by the Division of the Academy and Training.

(4) Training; post-traumatic stress disorder. The Division of the Academy and Training shall conduct or approve a training program in post-traumatic stress disorder for State police officers. The purpose of that training shall be to equip State police officers to identify the symptoms of post-traumatic stress disorder and to respond appropriately to individuals exhibiting those symptoms.

(5) Training; opioid antagonists. The Division of the Academy and Training shall conduct or approve a training program for State police officers in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act that is in accordance with that Section. As used in this Section, "State police officers" includes full-time or part-time State police officers, investigators, and any other employee of the Illinois State Police exercising the powers of a peace officer.

(6) Training; sexual assault and sexual abuse.

(A) Every 3 years, the Division of the Academy and Training shall present in-service training on sexual assault and sexual abuse response and report writing training requirements, including, but not limited to, the following:

(i) recognizing the symptoms of trauma;

(ii) understanding the role trauma has played in a victim's life;

(iii) responding to the needs and concerns of a victim;

(iv) delivering services in a compassionate, sensitive, and nonjudgmental manner;

(v) interviewing techniques in accordance with the curriculum standards in this paragraph (6);

(vi) understanding cultural perceptions and common myths of sexual assault and sexual abuse; and

(vii) report writing techniques in accordance with the curriculum standards in this paragraph (6).

(B) This training must also be presented in all full and part-time basic law enforcement academies.

(C) Instructors providing this training shall have successfully completed training on evidence-based, trauma-informed, victim-centered responses to cases of sexual assault and sexual abuse and have experience responding to sexual assault and sexual abuse cases.

(D) The Illinois State Police shall adopt rules, in consultation with the Office of the Attorney General and the Illinois Law Enforcement Training Standards Board, to determine the specific training requirements for these courses, including, but not limited to, the following:

(i) evidence-based curriculum standards for report writing and immediate response to sexual assault and sexual abuse, including trauma-informed, victim-centered interview techniques, which have been demonstrated to minimize retraumatization, for all State police officers; and

(ii) evidence-based curriculum standards for trauma-informed, victim-centered investigation and interviewing techniques, which have been demonstrated to minimize retraumatization, for cases of sexual assault and sexual abuse for all State police officers who conduct sexual assault and sexual abuse investigations.

(7) Training; human trafficking. The Division of the Academy and Training shall conduct or approve a training program in the detection and investigation of all forms of human trafficking, including, but not limited to, involuntary servitude under subsection (b) of Section 10-9 of the Criminal Code of 2012, involuntary sexual servitude of a minor under subsection (c) of Section 10-9

of the Criminal Code of 2012, and trafficking in persons under subsection (d) of Section 10-9 of the Criminal Code of 2012. This program shall be made available to all cadets and State police officers.

(8) Training; hate crimes. The Division of the Academy and Training shall provide training for State police officers in identifying, responding to, and reporting all hate crimes, as defined in Section 12-7.1 of the Criminal Code of 2012. The training curriculum may include material to help officers distinguish hate crimes from other crimes, to help officers in understanding and assisting victims of hate crimes, and to ensure that hate crimes will be accurately reported. The Illinois State Police shall review the training curriculum biennially and may consult with the Commission on Discrimination and Hate Crimes to update the training curriculum as needed.

(d) The Division of the Academy and Training shall administer and conduct a program consistent with 18 U.S.C. 926B and 926C for qualified active and retired Illinois State Police officers.

(Source: P.A. 102-538, eff. 8-20-21; 102-756, eff. 5-10-22; 102-813, eff. 5-13-22; 103-34, eff. 1-1-24.)

Section 10. The Illinois Police Training Act is amended by changing Section 7 and by adding Section 10.25 as follows:

(50 ILCS 705/7)

Sec. 7. Rules and standards for schools. The Board shall adopt rules and minimum standards for such schools which shall include, but not be limited to, the following:

a. The curriculum for probationary law enforcement officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights, human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, crisis intervention training, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and crash investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, hate crimes and crimes motivated by bias, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by law enforcement officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative stress, issues that may lead to suicide, and solutions for intervention with peer support resources. The curriculum shall include a block of instruction addressing the mandatory reporting requirements under the Abused and Neglected Child Reporting Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum shall include training in the detection and investigation of all forms of human trafficking. The curriculum shall also include instruction in trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member; this instruction must include, but is not limited to: (1)

understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (2) de-escalation tactics that would include the use of force when reasonably necessary; and (3) inquiring whether a child will require supervision and care. The curriculum for probationary law enforcement officers shall include: (1) at least 12 hours of hands-on, scenario-based role-playing; (2) at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; (3) specific training on officer safety techniques, including cover, concealment, and time; and (4) at least 6 hours of training focused on high-risk traffic stops. The curriculum for permanent law enforcement officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary law enforcement officers, including University police officers. The curriculum shall also include training on the use of a firearms restraining order by providing instruction on the process used to file a firearms restraining order and how to identify situations in which a firearms restraining order is appropriate.

b. Minimum courses of study, attendance requirements and equipment requirements.

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary law enforcement officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental or State governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

e. Minimum basic training requirements, which a probationary county corrections officer must satisfactorily complete before being eligible for permanent employment as a county corrections officer for a participating local governmental agency.

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to the officer's successful completion of the training course; (ii) attesting to the officer's satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act 89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

g. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority, procedural justice, civil rights, human rights, reporting child abuse and neglect, hate crimes and crimes motivated by bias, and cultural competency, including implicit bias and racial and ethnic sensitivity. These trainings shall consist of at least 30 hours of training every 3 years.

h. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete at least annually. Those requirements shall include law updates, emergency medical response training and certification, crisis intervention training, and officer wellness and mental health.

i. Minimum in-service training requirements as set forth in Section 10.6.

Notwithstanding any provision of law to the contrary, the changes made to this Section by Public Act 101-652, Public Act 102-28, and Public Act 102-694 take effect July 1, 2022.

(Source: P.A. 102-28, eff. 6-25-21; 102-345, eff. 6-1-22; 102-558, eff. 8-20-21; 102-694, eff. 1-7-22; 102-982, eff. 7-1-23; 103-154, eff. 6-30-23.)

(50 ILCS 705/10.25 new)

Sec. 10.25. Training; crimes motivated by bias.

(a) The Board shall develop or approve a course to assist law enforcement officers in identifying, responding to, and reporting crimes committed in whole or in substantial part because of the victim's or another's actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression, age, national origin, or disability, or because of the victim's actual or perceived association with another person or group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression, age, national origin, or disability.

Each course must include instruction to help officers distinguish bias crimes from other crimes, to help officers in understanding and assisting victims of these crimes, and to ensure that bias crimes will be accurately reported. The Board must, within a reasonable amount of time, update this course to conform with national trends and best practices.

In updating the approved training courses described in this subsection, the Board may consult with and incorporate input from the Commission on Discrimination and Hate Crimes.

(b) The Board is encouraged to adopt model policies to assist law enforcement agencies in developing policies related to hate crimes and crimes motivated by violence. The Board may consult with the Commission on Discrimination and Hate Crimes or other entities to develop these policies.

(c) The Board must periodically conduct an educational conference to inform and sensitize chief law enforcement officers, community service providers, and other interested persons to the law enforcement issues associated with bias crimes. The Board may partner with other public or private entities to sponsor and conduct these conferences.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Feigenholtz, **Senate Bill No. 3552** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

Cunningham	Hunter	Porfirio	Villanueva
DeWitte	Johnson	Preston	Villivalam
Edly-Allen	Jones, E.	Rezin	Wilcox
Ellman	Joyce	Rose	Mr. President
Faraci	Koehler	Simmons	
Feigenholtz	Lewis	Sims	

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

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

On motion of Senator Villanueva, **Senate Bill No. 3434** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 39; NAYS 19.

The following voted in the affirmative:

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

The following voted in the negative:

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

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

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

On motion of Senator Villivalam, **Senate Bill No. 3558** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 46; NAYS 10.

The following voted in the affirmative:

Aquino	Gillespie	Lightford	Stadelman
Belt	Glowiak Hilton	Loughran Cappel	Syverson
Castro	Halpin	Martwick	Toro
Cervantes	Harris, N.	Morrison	Turner, D.

Collins	Hastings	Murphy	Turner, S.
Cunningham	Holmes	Peters	Ventura
DeWitte	Hunter	Porfirio	Villa
Edly-Allen	Johnson	Preston	Villanueva
Ellman	Jones, E.	Rezin	Villivalam
Faraci	Joyce	Rose	Mr. President
Feigenholtz	Koehler	Simmons	
Fine	Lewis	Sims	

The following voted in the negative:

Anderson	Fowler	Plummer	Wilcox
Bryant	Harriss, E.	Stoller	
Chesney	McConchie	Tracy	

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

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

Senator S. Turner asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the negative on **Senate Bill No. 3558**.

SENATE BILL RECALLED

On motion of Senator E. Harriss, **Senate Bill No. 3567** was recalled from the order of third reading to the order of second reading.

Senator E. Harriss offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3567

AMENDMENT NO. 1 . Amend Senate Bill 3567 on page 2, by replacing line 6 with the following: "posted on or near the top of the website's homepage or on a page".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator E. Harriss, **Senate Bill No. 3567** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 58; NAYS None.

The following voted in the affirmative:

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

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

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

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

SENATE BILL RECALLED

On motion of Senator Ventura, **Senate Bill No. 3597** was recalled from the order of third reading to the order of second reading.

Senator Ventura offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO SENATE BILL 3597

AMENDMENT NO. 3 . Amend Senate Bill 3597, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Climate Bank Loan Financing Act.

Section 5. Definitions. As used in this Act:

"Alternate bonds", "applicable law", "bond", "general obligation bonds", "limited bonds", "governmental unit", "revenue bonds", "enterprise revenues", and "revenue source" have the respective meanings set forth in Section 3 of the Local Government Debt Reform Act.

"Governing body" means the council, board, commission, or body, by whatever name it is known, having charge of the finances of a governmental unit.

Section 10. Clean energy infrastructure projects. A governmental unit may own, construct, equip, manage, control, erect, improve, extend, maintain, and operate new or existing clean energy infrastructure projects, may purchase real estate and any property rights to be used for clean energy infrastructure projects, and may charge for the use of clean energy infrastructure.

Section 15. Authorization to borrow from Illinois Finance Authority Illinois Climate Bank loan programs. A governmental unit may borrow money and access loans from the Illinois Finance Authority to finance the acquisition, construction, or improvement of new or existing clean energy infrastructure, in each case, qualified for financing by the Illinois Finance Authority under the Illinois Climate Bank bond loan programs of the Illinois Finance Authority.

Section 20. Bond authorization. A governmental unit may issue from time to time general obligation bonds, including alternate bonds and limited bonds, and revenue bonds pursuant to applicable law for the purpose of evidencing its obligation to repay its loans from the Illinois Finance Authority.

Section 25. Bond terms. Bonds issued under Section 20 shall bear interest at a rate or rates not to exceed the maximum rate permitted by the Bond Authorization Act at the time of the making of the loan from the Illinois Finance Authority. The bonds shall mature within 30 years from the date issued. General obligation bonds shall be the direct general obligations of the governmental unit and the full faith and credit of the governmental unit shall be pledged for the punctual payment of the principal of and interest on the general obligation bonds. Revenue bonds shall be limited obligations of the governmental unit payable from the enterprise revenues or revenue sources of the governmental unit pledged as security for the punctual payment of the principal of and interest on the revenue bonds.

Section 30. Adoption of ordinance or resolution. In order to authorize participation in a loan from the Illinois Finance Authority and to authorize and issue the bonds, the governing body shall adopt an ordinance, or resolution when appropriate, providing for the determination of the amount of bonds, the maturity of bonds, and the rate of interest of the bonds. In the case of general obligation bonds, the ordinance or resolution shall provide for the levy and collection of a direct annual tax upon all the taxable property in the governmental unit sufficient to pay the principal of and interest on the general obligation bonds to maturity. Upon the filing of a certified copy of an adopted ordinance or resolution levying a direct annual tax under this Section in the office of the county clerk in each county in which the governmental unit is located, the county clerk shall annually extend the tax in addition to all other taxes authorized to be levied by the governmental unit or on behalf of the governmental unit. In the case of revenue bonds, the ordinance or resolution shall provide for covenants and agreements as may be found by the governmental unit to be necessary and appropriate, including any liens granted on enterprise revenues or revenue sources, to secure the punctual payment of the principal of and interest on the revenue bonds. The governmental unit may enter into loan agreements and security agreements with respect to the borrowing of money from the Illinois Finance Authority pursuant to this Act.

Section 35. Authority for issuance. The authority to issue bonds by a governmental unit under this Act and applicable law for clean energy infrastructure projects is in addition to any other authority to issue bonds by a governmental unit provided by law.

Section 40. Execution. The bonds shall be executed in the name of the governmental unit by manual or facsimile signatures of the officials of the governmental unit as may be designated by the ordinance or resolution.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Ventura, **Senate Bill No. 3597** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 49; NAYS 6.

The following voted in the affirmative:

Aquino	Fowler	Lewis	Stadelman
Belt	Gillespie	Lightford	Stoller
Bennett	Glowiak Hilton	Loughran Cappel	Syverson
Castro	Halpin	Martwick	Toro
Cervantes	Harris, N.	McConchie	Turner, D.
Collins	Harriss, E.	Morrison	Ventura
Cunningham	Hastings	Murphy	Villa
DeWitte	Holmes	Peters	Villanueva
Edly-Allen	Hunter	Porfirio	Villivalam
Ellman	Johnson	Preston	Mr. President

Faraci	Jones, E.	Rose
Feigenholtz	Joyce	Simmons
Fine	Koehler	Sims

The following voted in the negative:

Anderson	Chesney	Turner, S.
Bryant	Plummer	Wilcox

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

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

On motion of Senator Edly-Allen, **Senate Bill No. 3599** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 55; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Halpin, **Senate Bill No. 3608** was recalled from the order of third reading to the order of second reading.

Senator Halpin offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3608

AMENDMENT NO. 1 . Amend Senate Bill 3608 by replacing everything after the enacting clause with the following:

"Section 5. The Capital Development Board Act is amended by adding Section 10.20 as follows:
(20 ILCS 3105/10.20 new)
Sec. 10.20. Local regulation of State facilities.

(a) Notwithstanding any other provision of law, no ordinance of a unit of local government shall be enforced against the construction, reconstruction, improvement, or installation of a State facility. A unit of local government shall not require payment of permitting fees or require permit inspections for the construction, reconstruction, improvement, or installation of any State facility.

(b) The Board shall, to the fullest extent practicable, coordinate with local utilities regarding utility connection requirements and procedures.

(c) Before undertaking any activity involving the construction, reconstruction, improvement, or installation of any State facility, the Board shall, to the fullest extent practicable, coordinate and consult with the units of local government that are responsible for providing fire protection services to that State facility in order to ensure that fire protection services can be provided by the unit of local government to the State facility in the most effective manner.

(d) Nothing in this Section shall relieve the Board from compliance with any State or federal mandate. This Section does not relieve the Board from the obligation to compensate units of local governments for fair and reasonable connection or impact costs that (i) conform to industry standards or (ii) are consistent with similar costs that are applied to private, non-governmental capital projects.

(e) This Section applies to the construction, reconstruction, improvement and installation of State facilities that is ongoing on the effective date of this amendatory Act of the 103rd General Assembly and to all projects that begin on or after the effective date of this amendatory Act of the 103rd General Assembly.

(f) A home rule unit may not regulate the construction, reconstruction, improvement, or installation of a State facility in a manner that is inconsistent with this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(g) As used in this Section:

"Fair and reasonable connection or impact costs" means demonstrated costs incurred by the unit of local government that directly result from the Board's use of or impact on local infrastructure.

"State facility" means any capital project under the authority of the Capital Development Board.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Halpin, **Senate Bill No. 3608** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

Faraci	Koehler	Sims
Feigenholtz	Lewis	Stadelman

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

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

SENATE BILL RECALLED

On motion of Senator Martwick, **Senate Bill No. 3615** was recalled from the order of third reading to the order of second reading.

Senator Martwick offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3615

AMENDMENT NO. 1 . Amend Senate Bill 3615 by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Section 3-4-3 as follows:

(730 ILCS 5/3-4-3) (from Ch. 38, par. 1003-4-3)

Sec. 3-4-3. Funds and Property of Persons Committed.

(a) The Department of Corrections and the Department of Juvenile Justice shall establish accounting records with accounts for each person who has or receives money while in an institution or facility of that Department and it shall allow the withdrawal and disbursement of money by the person under rules and regulations of that Department. The Department of Juvenile Justice shall not be required to keep such deposited moneys in an interest-bearing bank account unless the annual interest earned would exceed the total annual costs and fees, including, but not limited to, transaction fees, associated with maintaining the account. Any interest or other income which may be earned from moneys deposited with the Department by a resident of the Department of Juvenile Justice ~~in excess of $200~~ shall accrue to the individual's account if the monthly interest attributable to an individual's account exceeds $1. All other~~, or in~~ balances ~~up to $200~~ shall accrue to the Residents' Benefit Fund. For an individual in an institution or facility of the Department of Corrections the interest shall accrue to the Residents' Benefit Fund. The Department shall disburse all moneys so held no later than the person's final discharge from the Department. Moneys in the account of a committed person who files a lawsuit determined frivolous under Article XXII of the Code of Civil Procedure shall be deducted to pay for the filing fees and cost of the suit as provided in that Article. The Department shall under rules and regulations record and receipt all personal property not allowed to committed persons. The Department shall return such property to the individual no later than the person's release on parole or aftercare.

(b) Any money held in accounts of committed persons separated from the Department by death, discharge, or unauthorized absence and unclaimed for a period of 1 year thereafter by the person or his legal representative shall be transmitted to the State Treasurer who shall deposit it into the General Revenue Fund. Articles of personal property of persons so separated may be sold or used by the Department if unclaimed for a period of 1 year for the same purpose. Clothing, if unclaimed within 30 days, may be used or disposed of as determined by the Department.

(c) Forty percent of the profits on sales from commissary stores shall be expended by the Department for the special benefit of committed persons which shall include but not be limited to the advancement of inmate payrolls, for the special benefit of employees, and for the advancement or reimbursement of employee travel, provided that amounts expended for employees shall not exceed the amount of profits derived from sales made to employees by such commissaries, as determined by the Department. The remainder of the profits from sales from commissary stores must be used first to pay for wages and benefits of employees covered under a collective bargaining agreement who are employed at commissary facilities of the Department and then to pay the costs of dietary staff.

(d) The Department shall confiscate any unauthorized currency found in the possession of a committed person. The Department shall transmit the confiscated currency to the State Treasurer who shall deposit it into the General Revenue Fund.

(Source: P.A. 97-1083, eff. 8-24-12; 98-558, eff. 1-1-14.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS OF THE SENATE A THIRD TIME

On motion of Senator Martwick, **Senate Bill No. 3615** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Stadelman, **Senate Bill No. 3678** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

Cunningham	Hunter	Preston	Wilcox
DeWitte	Johnson	Rezin	Mr. President
Edly-Allen	Jones, E.	Simmons	
Ellman	Joyce	Sims	
Faraci	Koehler	Stadelman	
Feigenholtz	Lewis	Stoller	

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

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

On motion of Senator Peters, **Senate Bill No. 3650** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 41; NAYS 14.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	Fowler	Plummer	Turner, S.
Bennett	Harriss, E.	Rezin	Wilcox
Bryant	Lewis	Stoller	
Chesney	McConchie	Tracy	

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

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

Senator Villa asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on **Senate Bill No. 3650**.

Senator DeWitte asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the negative on **Senate Bill No. 3650**.

On motion of Senator Gillespie, **Senate Bill No. 3694** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 54; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson

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

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

On motion of Senator Halpin, **Senate Bill No. 3696** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

On motion of Senator Fine, **Senate Bill No. 3753** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

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

SENATE BILL RECALLED

On motion of Senator Glowiak Hilton, **Senate Bill No. 3767** was recalled from the order of third reading to the order of second reading.

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

AMENDMENT NO. 1 TO SENATE BILL 3767

AMENDMENT NO. 1 . Amend Senate Bill 3767 on page 12, line 25, by replacing "2" with "3 ~~2~~"; and

on page 13, line 1, by replacing "2" with "3 ~~2~~"; and

on page 15, line 12, by replacing "licensure" with "registration"; and

on page 21, by replacing line 9 with the following:

"(5) who, subsequent to conferral of a degree meeting one of the educational requirements listed in paragraph (7), ~~passing the examination~~".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Glowiak Hilton, **Senate Bill No. 3767** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

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

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

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

CONSIDERATION OF MOTIONS IN WRITING

Pursuant to Motion in Writing filed earlier today, Senator Julie Morrison moved to reconsider the vote by which **Senate Bill No. 692** passed.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed and the bill was placed on the order of third reading.

ANNOUNCEMENT

The Chair stated that the members have until 10:00 o'clock a.m. Friday, April 12, 2024 to file their vote intention slips in the Secretary of the Senate's Office for the Senate Bills Third Reading - Agreed Bills List.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its April 11, 2024 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Executive: **Floor Amendment No. 1 to Senate Bill 1055**.

Judiciary: **Floor Amendment No. 1 to Senate Bill 941**.

Local Government: **Floor Amendment No. 1 to Senate Bill 1102**.

Public Health: **Floor Amendment No. 1 to Senate Bill 1087**.

Senator Lightford, Chair of the Committee on Assignments, during its April 11, 2024 meeting, to which was referred **Senate Bill No. 386** on March 31, 2023, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **Senate Bill No. 386** was returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its April 11, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Floor Amendment No. 2 to Senate Bill 463
Floor Amendment No. 2 to Senate Bill 692
Floor Amendment No. 2 to Senate Bill 2639
Floor Amendment No. 1 to Senate Bill 2682
Floor Amendment No. 2 to Senate Bill 2764

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

Senator Lightford, Chair of the Committee on Assignments, during its April 11, 2024 meeting, reported that the following Legislative Measures have been approved for consideration:

Senate Resolutions Numbered 780, 784, 786, 787, 795, 797, 810, 818, 832, 850, 860, 866 and 870

The foregoing resolutions were placed on the Congratulatory Consent Calendar.

Senator Lightford, Chair of the Committee on Assignments, during its April 11, 2024 meeting, reported that the following Legislative Measure has been approved for consideration:

Senate Resolution No. 909

The foregoing resolution was placed on the Senate Calendar.

Pursuant to Senate Rule 3-8 (b-1), the following amendments will remain in the Committee on Assignments: **Floor Amendment No. 1 to Senate Bill 964, Floor Amendment No. 1 to Senate Bill 995, Floor Amendment No. 1 to Senate Bill 1131, Floor Amendment No. 1 to Senate Bill 1132, Floor**

Amendment No. 1 to Senate Bill 1175, Floor Amendment No. 1 to Senate Bill 1215 and Floor Amendment No. 1 to Senate Bill 1216.

Senator Murphy, Chair of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the appointment messages.

The motion prevailed.

EXECUTIVE SESSION

Senator Murphy submitted the following Motion in Writing:

MOTION IN WRITING

Pursuant to Senate Rule 10-1(c), as the Chair of the Executive Appointments Committee, I move to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

- Appointment Messages 103-090, 103-096, and 103-172 (Labor Advisory Board)
- Appointment Messages 103-091 and 103-183 (Illinois Committee For Agricultural Education)
- Appointment Messages 103-092 and 103-138 (Clean Energy Jobs and Justice Fund)
- Appointment Message 103-097 (Illinois State Medical Board)
- Appointment Messages 103-098 and 103-121 (Illinois State Board of Education)
- Appointment Messages 103-099 and 103-119 (Abraham Lincoln Presidential Library and Museum Board of Trustees)
- Appointment Message 103-120 (Illinois Criminal Justice Information Authority)
- Appointment Message 103-122 (Public Administrator and Public Guardian of Mason County)
- Appointment Message 103-123 (Public Administrator and Public Guardian of Tazewell County)
- Appointment Messages 103-140 and 103-141 (Health Facilities and Services Review Board)
- Appointment Message 103-142 (Illinois Finance Authority)
- Appointment Messages 103-143 and 103-144 (Northeastern Illinois University Board of Trustees)
- Appointment Message 103-146 (Torture Inquiry and Relief Commission)
- Appointment Messages 103-147, 103-165, and 103-166 (Employment Security Advisory Board)
- Appointment Messages 103-149, 103-158, and 103-159 (Northern Illinois University Board of Trustees)
- Appointment Message 103-150 (University of Illinois Board of Trustees)
- Appointment Message 103-155 (Eastern Illinois University Board of Trustees)
- Appointment Message 103-156 (Governors State University Board of Trustees)
- Appointment Message 103-157 (Illinois State University Board of Trustees)
- Appointment Message 103-164 (Chicago State University Board of Trustees)
- Appointment Messages 103-167 and 103-168 (Energy Workforce Advisory Council)
- Appointment Messages 103-169 and 103-171 (Illinois Workforce Innovation Board)
- Appointment Message 103-173 (Will Kankakee Regional Development Authority)

Date: **April 11, 2024**

s/ Senator Laura Murphy
Assistant MAJORITY LEADER LAURA M. MURPHY
CHAIR, EXECUTIVE APPOINTMENTS COMMITTEE

The foregoing Motion in Writing was filed with the Secretary and ordered placed on the Senate Calendar.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030085, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030085

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Racing Board

Start Date: February 17, 2023

End Date: July 1, 2028

Name: Alyssa Anna Murphy

Residence: 185 Stonegate Rd., Trout Valley, IL 60013

Annual Compensation: Not Applicable

Per diem: $300, not to exceed $13,462 per annum

Nominee's Senator: Senator Craig Wilcox

Most Recent Holder of Office: Edgar Ramirez

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030087, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030087

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Board of Health

Start Date: February 17, 2023

End Date: November 1, 2025

Name: Angela Oberreiter

Residence: 5413 Manhattan Dr., Springfield, IL 62711

Annual Compensation: Expenses

Per diem: $150, not to exceed $10,000 per year

Nominee's Senator: Senator Steve McClure

Most Recent Holder of Office: Angela Oberreiter

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

Feigenholtz	Lewis	Stadelman

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030095, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030095

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Associate Secretary, Chief Behavioral Health Officer

Agency or Other Body: Illinois Department of Human Services

Start Date: March 3, 2023

End Date: January 20, 2025

Name: David T. Jones

Residence: 904 Elgin Ave., Forest Park, IL 60130

Annual Compensation: $165,000

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: David T. Jones

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030110, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030110

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Mining Board

Start Date: March 13, 2023

End Date: January 20, 2025

Name: Raymond Hood

Residence: 12747 White Oak Ln., Coulterville, IL 62237

Annual Compensation: $16,821 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Terri Bryant

Most Recent Holder of Office: Raymond Hood

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stoller
Aquino	Fowler	Loughran Cappel	Syverson
Belt	Gillespie	Martwick	Toro
Bennett	Glowiak Hilton	McClure	Tracy
Bryant	Halpin	McConchie	Turner, D.
Castro	Harris, N.	Morrison	Turner, S.

Cervantes	Harriss, E.	Murphy	Ventura
Chesney	Hastings	Peters	Villa
Collins	Holmes	Plummer	Villanueva
Cunningham	Hunter	Porfirio	Villivalam
DeWitte	Johnson	Preston	Wilcox
Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Simmons	
Faraci	Koehler	Sims	
Feigenholtz	Lewis	Stadelman	

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030111, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030111

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Mining Board

Start Date: March 13, 2023

End Date: January 20, 2025

Name: N. Michael Huff

Residence: 1152 Bob Martin Dr., Carmi, IL 62821

Annual Compensation: $16,821 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Terri Bryant

Most Recent Holder of Office: N. Michael Huff

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stoller
Aquino	Fowler	Loughran Cappel	Syverson

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030113, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030113

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Police Merit Board

Start Date: March 19, 2023

End Date: March 19, 2027

Name: William David Stiehl

Residence: 2600 Pro Tour Dr., Belleville, IL 62220

Annual Compensation: Not Applicable

Per diem: $254 per diem, not to exceed $25,400 per annum

Nominee's Senator: Senator Christopher Belt

Most Recent Holder of Office: William David Stiehl

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030114, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030114

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Arbitrator

Agency or Other Body: Workers' Compensation Commission

Start Date: March 20, 2023

End Date: July 1, 2025

Name: Francis Martin Brady

Residence: 340 E. Woodland Rd., Lake Bluff, IL 60044

Annual Compensation: $148,440 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: Carolyn Doherty

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030136, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030136

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Mining Board

Start Date: March 16, 2023

End Date: January 20, 2025

Name: Michael Martin

Residence: 114 Stieren St., Farmersville, IL 62533

Annual Compensation: $16,821 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Steve McClure

Most Recent Holder of Office: Michael Martin

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030137, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030137

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Mining Board

Start Date: March 16, 2023

End Date: January 20, 2025

Name: Stephen Willis

Residence: 17817 Route 37, Johnston City, IL 62951

Annual Compensation: $16,821 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Stephen Willis

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030376, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030376

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Human Rights Commission

Start Date: November 17, 2023

End Date: January 16, 2027

Name: Mona Noriega

Residence: 300 W. Jefferson St., Ste. 108, Springfield, IL 62702

Annual Compensation: $134,288

Per diem: Not Applicable

Nominee's Senator: Senator Robert F. Martwick

Most Recent Holder of Office: Mona Noriega

Superseded Appointment Message: AM 103-0346

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAY 1.

The following voted in the affirmative:

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

The following voted in the negative:

Plummer

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030390, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030390

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Firearm Owner's Identification Card Review Board

Start Date: January 9, 2024

End Date: January 10, 2028

Name: Dion M. Redfield

Residence: 8909 S. Chappel Ave., Chicago, IL 60617

Annual Compensation: $42,398

Per diem: Not Applicable

Nominee's Senator: Senator Elgie R. Sims Jr.

Most Recent Holder of Office: Dion M. Redfield

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030089, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030089

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: State Fire Marshal

Agency or Other Body: Illinois Office of the State Fire Marshal

Start Date: March 7, 2023

End Date: January 20, 2025

Name: James A. Rivera

Residence: 6957 N. Oriole Ave., Chicago, IL 60631

Annual Compensation: $165,000

Per diem: Not Applicable

Nominee's Senator: Senator Robert F. Martwick

Most Recent Holder of Office: Dale Simpson

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030107, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030107

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Gaming Board

Start Date: March 13, 2023

End Date: July 1, 2024

Name: James Patrick Kolar

Residence: 505 N. Lake Shore Dr., Apt. 5611, Chicago, IL 60611

Annual Compensation: Expenses

Per diem: $300

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Steve Dolins

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030127, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030127

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Commission on Equity and Inclusion

Start Date: March 16, 2023

End Date: January 18, 2027

Name: Bruce E. Montgomery

Residence: 1700 E. 56th St., Apt. 3004/5, Chicago, IL 60637

Annual Compensation: $127,894 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Bruce E. Montgomery

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

Fine	Lightford	Stoller

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030129, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030129

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Employment Security Board of Review

Start Date: March 16, 2023

End Date: January 20, 2025

Name: Lamarcus Deshun Williams

Residence: 5010 Emmas Way, Champaign, IL 61822

Annual Compensation: $15,000 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Paul Faraci

Most Recent Holder of Office: Elbert Walters III

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

Edly-Allen	Jones, E.	Rezin	Mr. President
Ellman	Joyce	Simmons	
Faraci	Koehler	Sims	
Feigenholtz	Lewis	Stadelman	
Fine	Lightford	Stoller	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030130, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030130

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Assistant Director

Agency or Other Body: Illinois Department of Corrections

Start Date: March 16, 2023

End Date: January 20, 2025

Name: Alyssa Williams-Schafer

Residence: 300 Sommerset Dr., Chatham, IL 62629

Annual Compensation: $170,000 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Alyssa Williams-Schafer

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stoller
Aquino	Fowler	Loughran Cappel	Toro
Belt	Gillespie	Martwick	Tracy
Bennett	Glowiak Hilton	McClure	Turner, D.
Bryant	Halpin	McConchie	Turner, S.
Castro	Harris, N.	Morrison	Ventura

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030131, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030131

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Director

Agency or Other Body: Illinois Department of Employment Security

Start Date: March 17, 2023

End Date: January 20, 2025

Name: Raymond P. Marchiori

Residence: 18 Marryat Rd., Trout Valley, IL 60013

Annual Compensation: $195,000

Per diem: Not Applicable

Nominee's Senator: Senator Craig Wilcox

Most Recent Holder of Office: Kristin Ann Richards

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Lightford	Stoller
Aquino	Fowler	Loughran Cappel	Syverson

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030134, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030134

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Mining Board

Start Date: March 16, 2023

End Date: January 20, 2025

Name: Robert N. Eggerman

Residence: 1450 S. Shumway St., Taylorville, IL 62568

Annual Compensation: $16,821 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Steve McClure

Most Recent Holder of Office: Robert N. Eggerman

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030135, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030135

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: State Mining Board

Start Date: March 16, 2023

End Date: January 20, 2025

Name: Bernard Leroy Harsy

Residence: 140 Sweetbay Rd., Du Quoin, IL 62832

Annual Compensation: $16,821 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Terri Bryant

Most Recent Holder of Office: Bernard Leroy Harsy

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030148, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030148

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Executive Inspector General of the Agencies of the Illinois Governor

Agency or Other Body: Office of the Executive Inspector General

Start Date: July 1, 2023

End Date: June 30, 2028

Name: Susan Haling

Residence: 1624 N. New England Ave., Chicago, IL 60707

Annual Compensation: $195,000 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Susan Haling

Superseded Appointment Message: AM 103-126

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Message No. 1030364, reported the same back with the recommendation that the Senate consent to the following appointment:

Appointment Message No. 1030364

To the Honorable Members of the Senate, One Hundred Third General Assembly:

We, the Executive Ethics Commission, are nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Chief Procurement Officer for all procurements made by a public institution of higher education

Agency or Other Body: Not Applicable

Start Date: November 1, 2023

End Date: June 30, 2025

Name: Bridget McHatton

Residence: 107 Cypress Pt., Springfield, IL 62704

Annual Compensation: $150,000

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: John Donato

Superseded Appointment Message: Not Applicable

Senator Murphy moved that the Senate consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 57; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

CONSIDERATION OF MOTION IN WRITING

Pursuant to Motion in Writing filed earlier today, Senator Murphy moved to compile the following Appointment Messages to be acted on together by a single vote of the Senate:

- Appointment Messages 103-090, 103-096, and 103-172 (Labor Advisory Board)
- Appointment Messages 103-091 and 103-183 (Illinois Committee For Agricultural Education)
- Appointment Messages 103-092 and 103-138 (Clean Energy Jobs and Justice Fund)
- Appointment Message 103-097 (Illinois State Medical Board)
- Appointment Messages 103-098 and 103-121 (Illinois State Board of Education)
- Appointment Messages 103-099 and 103-119 (Abraham Lincoln Presidential Library and Museum Board of Trustees)
- Appointment Message 103-120 (Illinois Criminal Justice Information Authority)
- Appointment Message 103-122 (Public Administrator and Public Guardian of Mason County)
- Appointment Message 103-123 (Public Administrator and Public Guardian of Tazewell County)
- Appointment Messages 103-140 and 103-141 (Health Facilities and Services Review Board)
- Appointment Message 103-142 (Illinois Finance Authority)
- Appointment Messages 103-143 and 103-144 (Northeastern Illinois University Board of Trustees)
- Appointment Message 103-146 (Torture Inquiry and Relief Commission)

• Appointment Messages 103-147, 103-165, and 103-166 (Employment Security Advisory Board)
• Appointment Messages 103-149, 103-158, and 103-159 (Northern Illinois University Board of Trustees)
• Appointment Message 103-150 (University of Illinois Board of Trustees)
• Appointment Message 103-155 (Eastern Illinois University Board of Trustees)
• Appointment Message 103-156 (Governors State University Board of Trustees)
• Appointment Message 103-157 (Illinois State University Board of Trustees)
• Appointment Message 103-164 (Chicago State University Board of Trustees)
• Appointment Messages 103-167 and 103-168 (Energy Workforce Advisory Council)
• Appointment Messages 103-169 and 103-171 (Illinois Workforce Innovation Board)
• Appointment Message 103-173 (Will Kankakee Regional Development Authority)

The motion prevailed.

Senator Murphy, Chair of the Committee on Executive Appointments, to which was referred Appointment Messages Numbered 1030090, 1030091, 1030092, 1030096, 1030097, 1030098, 1030099, 1030119, 1030120, 1030121, 1030122, 1030123, 1030138, 1030140, 1030141, 1030142, 1030143, 1030144, 1030146, 1030147, 1030149, 1030150, 1030155, 1030156, 1030157, 1030158, 1030159, 1030164, 1030165, 1030166, 1030167, 1030168, 1030169, 1030171, 1030172, 1030173 and 1030183, reported the same back with the recommendation that the Senate consent to the following appointments:

Appointment Message No. 1030090

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Labor Advisory Board

Start Date: February 17, 2023

End Date: January 20, 2025

Name: Steven Avalos

Residence: 628 Ashland Ave., River Forest, IL 60305

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

Most Recent Holder of Office: Roberto Carmona

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030091

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Committee for Agricultural Education

Start Date: February 17, 2023

End Date: March 12, 2024

Name: William Ladd-Cawthorne

Residence: 1632 E. 54th St., Apt. 3, Chicago, IL 60615

Annual Compensation: Unsalaried

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Aimee Poskin

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030092

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Clean Energy Jobs and Justice Fund

Start Date: February 17, 2023

End Date: February 17, 2028

Name: Liliana Scales

Residence: 2324 S. Oakley Ave., Chicago, IL 60608

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Celina Villanueva

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030096

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Labor Advisory Board

Start Date: March 3, 2023

End Date: January 20, 2025

Name: Cherita Ellens

Residence: 9036 S. East End Ave., Chicago, IL 60617

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Elgie R. Sims, Jr.

Most Recent Holder of Office: Mark Buisson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030097

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Medical Board

Start Date: March 3, 2023

End Date: March 3, 2027

Name: Mary Huffman

Residence: 670 Middleton Dr., Roselle, IL 60172

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Seth Lewis

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030098

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State Board of Education

Start Date: March 3, 2023

End Date: January 13, 2027

Name: Donna S. Leak

Residence: 1744 Cambridge Ave., Flossmoor, IL 60422

Annual Compensation: Expenses

Per diem: $50 per day of the meeting

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: Donna S. Leak

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030099

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Abraham Lincoln Presidential Library and Museum Board of Trustees

Start Date: March 3, 2023

End Date: October 7, 2027

Name: Jason Lesniewicz

Residence: 1955 W. Foster Ave., Apt 1, Chicago, IL 60640

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Mike Simmons

Most Recent Holder of Office: Jason Lesniewicz

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030119

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Abraham Lincoln Presidential Library and Museum Board of Trustees

Start Date: March 13, 2023

End Date: October 7, 2028

Name: Jessica C. Harris

Residence: 10955 Chase Park Ln., Apt. A, Creve Coeur, MO 63141

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Senator Don Harmon

Most Recent Holder of Office: Jessica C. Harris

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030120

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Criminal Justice Information Authority

Start Date: March 13, 2023

End Date: January 16, 2027

Name: Eric Frederick Rinehart

Residence: 1007 Auburn Ave., Highland Park, IL 60035

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Julie A. Morrison

Most Recent Holder of Office: James Rowe

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030121

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member and Chair

Agency or Other Body: Illinois State Board of Education

Start Date: March 13, 2023

End Date: January 13, 2027

Name: Steven Isoye

Residence: 3430 N. Elaine Pl., Apt. 9, Chicago, IL 60657

Annual Compensation: Expenses, plus $50 per day of meeting

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: Steven Isoye

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030122

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Mason County

Start Date: March 13, 2023

End Date: December 4, 2025

Name: Debbie A. Harper

Residence: 551 Whispering Oaks Dr., Groveland, IL 61535

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Thomas Brewer

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030123

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Public Administrator and Public Guardian

Agency or Other Body: Tazewell County

Start Date: March 13, 2023

End Date: December 4, 2025

Name: Debbie A. Harper

Residence: 551 Whispering Oaks Dr., Groveland, IL 61535

Annual Compensation: Not Applicable

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Thomas Brewer

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030138

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Clean Energy Jobs and Justice Fund

Start Date: March 20, 2023

End Date: March 20, 2026

Name: Kevin P. Clark

Residence: 509 W. Pecan St., Carbondale, IL 62901

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030140

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Health Facilities and Services Review Board

Start Date: July 1, 2023

End Date: July 1, 2026

Name: Rex Paul Budde

Residence: 18 Deer Run, Herrin, IL 62948

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dale Fowler

Most Recent Holder of Office: Rex Paul Budde

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030141

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Health Facilities and Services Review Board

Start Date: March 16, 2023

End Date: July 1, 2025

Name: Audrey L. Tanksley

Residence: 9318 S. Bell Ave., Chicago, IL 60643

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Linda Rae Murray

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030142

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: March 20, 2023

End Date: July 16, 2024

Name: Lynn Sutton

Residence: 3514 W. Jackson Blvd., Chicago, IL 60624

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: George Obernagel

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030143

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Northeastern Illinois University Board of Trustees

Start Date: March 16, 2023

End Date: January 15, 2029

Name: Betty Fleurimond

Residence: 1017 N. Cleveland Ave., Unit 3, Chicago, IL 60610

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: Sherry Eagle

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030144

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Northeastern Illinois University Board of Trustees

Start Date: March 16, 2023

End Date: January 15, 2029

Name: Michelle Morales

Residence: 9646 S. Winston Ave., Chicago, IL 60643

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Carlos Azcoitia

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030146

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Torture Inquiry and Relief Commission

Start Date: March 24, 2023

End Date: December 31, 2025

Name: Yanajaha Kafi Moragne-Patterson

Residence: 4823 S. Kenwood Ave., Chicago, IL 60615

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Rev. Stephen Thurston (voting seat)

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030147

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker. Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: March 24, 2023

End Date: January 20, 2025

Name: Rick Terven

Residence: 1626 South Grand Ave. W., Springfield, IL 62704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Doris Turner

Most Recent Holder of Office: Rick Terven

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030149

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Northern Illinois University Board of Trustees

Start Date: March 27, 2023

End Date: January 15, 2029

Name: Rita R. Athas

Residence: 530 N. Lake Shore Dr., Apt. 1405, Chicago, IL 60611

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Robert Peters

Most Recent Holder of Office: Rita R. Athas

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030150

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: University of Illinois Board of Trustees

Start Date: March 27, 2023

End Date: January 15, 2029

Name: Wilbur C. Milhouse III

Residence: 120 W. Chestnut Ave., Chicago, IL 60610

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sara Feigenholtz

Most Recent Holder of Office: Naomi Jakobsson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030155

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Eastern Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Joyce A. Madigan

Residence: 16707 E. County Road 1600N, Charleston, IL 61920

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Chapin Rose

Most Recent Holder of Office: Joyce A. Madigan

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030156

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Governors State University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: James M. Kvedaras

Residence: 22W724 Elmwood Dr., Glen Ellyn, IL 60137

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura Ellman

Most Recent Holder of Office: James M. Kvedaras

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030157

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois State University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Kathryn Sue Bohn

Residence: 2805 Radbourne Dr., Bloomington, IL 61704

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Kathryn Sue Bohn

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030158

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Northern Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Dennis Lee Barsema

Residence: 128 Brinker Rd., Barrington Hills, IL 60010

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan McConchie

Most Recent Holder of Office: Dennis Lee Barsema

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030159

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Northern Illinois University Board of Trustees

Start Date: March 31, 2023

End Date: January 15, 2029

Name: Eric Wasowicz

Residence: 1991 N. Northumberland Pass, Palatine, IL 60074

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan McConchie

Most Recent Holder of Office: Eric Wasowicz

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030164

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Chicago State University Board of Trustees

Start Date: April 3, 2023

End Date: January 15, 2029

Name: Cheryl D. Watkins

Residence: 8159 S. Albany Ave., Chicago, IL 60652

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Willie Preston

Most Recent Holder of Office: Cheryl D. Watkins

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030165

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 3, 2023

End Date: January 20, 2025

Name: James G. Argionis

Residence: 1124 S. Rose Ave., Park Ridge, IL 60068

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Laura M. Murphy

Most Recent Holder of Office: James G. Argionis

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030166

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Employment Security Advisory Board

Start Date: April 3, 2023

End Date: January 20, 2025

Name: Patrick F. Devaney

Residence: 4505 Ironwood Ln., Champaign, IL 61822

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Paul Faraci

Most Recent Holder of Office: Patrick F. Devaney

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030167

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Energy Workforce Advisory Council

Start Date: April 3, 2023

End Date: Not Applicable

Name: Michael Glen Boyd

Residence: 969 Meadow Path, Manteno, IL 60950

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Napoleon Harris, III

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030168

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Energy Workforce Advisory Council

Start Date: April 3, 2023

End Date: Not Applicable

Name: Shannon Fulton

Residence: 542 County Road 2500 E., El Paso, IL 61738

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator David Koehler

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030169

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: April 3, 2023

End Date: July 1, 2024

Name: Kaili Emmrich

Residence: 1718 W. Erie St., Chicago, IL 60622

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Omar Aquino

Most Recent Holder of Office: Debra Day

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030171

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Workforce Innovation Board

Start Date: July 1, 2023

End Date: July 1, 2025

Name: Daniel Serota

Residence: 1170 Stratford Ln., Lake Zurich, IL 60047

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Dan McConchie

Most Recent Holder of Office: Daniel Serota

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030172

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Labor Advisory Board

Start Date: April 3, 2023

End Date: January 20, 2025

Name: Timothy E. Drea

Residence: 8028 Wilson Ter., Springfield, IL 62712

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Steve McClure

Most Recent Holder of Office: John Penn

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030173

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Will Kankakee Regional Development Authority

Start Date: April 3, 2023

End Date: January 15, 2024

Name: Brian Shanahan

Residence: 18757 Rosewood Ln., Mokena, IL 60448

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Michael E. Hastings

Most Recent Holder of Office: Barbara Peterson

Superseded Appointment Message: Not Applicable

Appointment Message No. 1030183

To the Honorable Members of the Senate, One Hundred Third General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Committee for Agricultural Education

Start Date: April 14, 2023

End Date: March 13, 2024

Name: Karen M. Schieler

Residence: 412 Cobble Creek Ln., Heyworth, IL 61745

Annual Compensation: Unsalaried

Per diem: Not Applicable

Nominee's Senator: Senator Sally J. Turner

Most Recent Holder of Office: Kim Haywood Jr.

Superseded Appointment Message: AM 103-125

Senator Murphy moved that the Senate consent to the foregoing appointments.
And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

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

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointments.
On motion of Senator Murphy, the Executive Session arose and the Senate resumed consideration of business.
Senator Koehler, presiding.

READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Belt, **Senate Bill No. 2234** having been printed, was taken up, read by title a second time.
Committee Amendment No. 1 was postponed in the Committee on Financial Institutions.
The following amendment was offered in the Committee on Financial Institutions, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE BILL 2234

AMENDMENT NO. 1 . Amend Senate Bill 2234 on page 5, line 17, after "State", by inserting "; or a subsidiary or affiliate of such an organization"; and

on page 6, immediately below line 13, by inserting the following:

"(8) A purchase-money obligation as defined in Section 9-103 of the Uniform Commercial Code.

(9) A commercial financing product offered by a person in connection with the sale or lease of products or services that the person manufactures, licenses, or distributes or whose parent company or any of the parent company's directly or indirectly owned and controlled subsidiaries manufactures, licenses, or distributes."; and

on page 6, line 14, by replacing "(8)" with "(10)"; and

on page 6, line 17, by replacing "(9)" with "(11)"; and

on page 6, line 18, by replacing "$2,500,000" with "$500,000"; and

on page 6, line 19, by replacing "(10)" with "(12)".

Floor Amendment No. 3 was postponed in the Committee on Financial Institutions.

Floor Amendment No. 4 was held in the Committee on Assignments.

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

On motion of Senator Lightford, **Senate Bill No. 2625** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Lightford, **Senate Bill No. 2745** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 2745

AMENDMENT NO. 1 . Amend Senate Bill 2745 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Section 6-24a as follows:

(235 ILCS 5/6-24a) (from Ch. 43, par. 139a)

Sec. 6-24a. Display of birth defects warning signs.

(a) The General Assembly finds that there is a need for public information about the risk of birth defects (specifically Fetal Alcohol Syndrome) when women consume alcoholic liquor during pregnancy. The United States Surgeon General has recommended abstinence from alcohol during pregnancy. Since Fetal Alcohol Syndrome and fetal alcohol effects are preventable, the General Assembly finds that it is in the public interest to provide warning about the risk of alcohol-related birth defects at places where alcoholic liquors are sold.

(b) Every holder of a retail license, whether the licensee sells or offers for sale alcoholic liquors for use or consumption on or off the retail license premises, shall cause a sign with the message "GOVERNMENT WARNING: ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS. ~~IF YOU NEED ASSISTANCE FOR SUBSTANCE ABUSE, PLEASE CALL THE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE (OASA) AT 1-800-843-6154.~~" to be framed and hung in plain view. These signs shall be no less ~~larger~~ than 8 1/2 inches by 11 inches and shall provide the name and phone number of an authorized State alcoholism and substance abuse helpline.

(c) In the event there is no warning sign posted on the retailer's premises, it shall be the responsibility of the Illinois Liquor Control Commission to furnish the retailer with a warning sign. The retailer shall have 30 days from receipt of the warning sign to post it on the licensed premises. Thereafter, a retailer who

violates this Section is subject to a written warning for the first violation. For a second or subsequent violation, the retailer shall pay a fine of at least $20 but not more than $100 for each such violation. For the third and subsequent violations, each day the activity continues shall be a separate violation.
(Source: P.A. 96-387, eff. 1-1-10.)".

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 Fine, **Senate Bill No. 3130** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

Senator Gillespie offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3130

AMENDMENT NO. 2 . Amend Senate Bill 3130 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Insurance Law of the Civil Administrative Code of Illinois is amended by changing Section 1405-50 as follows:

(20 ILCS 1405/1405-50)

Sec. 1405-50. Marketplace Director of the Illinois Health Benefits Exchange. The Governor shall appoint, with the advice and consent of the Senate, a person within the Department of Insurance to serve as the Marketplace Director of the Illinois Health Benefits Exchange. The Marketplace Director shall serve for a term of 2 years, and until a successor is appointed and qualified; except that the term of the first Marketplace Director appointed under this Law shall expire on the third Monday in January 2027. The Marketplace Director may serve for more than one term. The Governor may make a temporary appointment until the next meeting of the Senate. ~~This person may be an existing employee with other duties.~~ The Marketplace Director shall receive an annual salary as set by the Governor and shall be paid out of the appropriations to the Department. The Marketplace Director shall ~~not~~ be subject to the Personnel Code. The Marketplace Director, under the direction of the Director, shall manage the operations and staff of the Illinois Health Benefits Exchange to ensure optimal exchange performance.
(Source: P.A. 103-103, eff. 6-27-23.)

Section 10. The Illinois Insurance Code is amended by adding Section 356z.40a as follows:

(215 ILCS 5/356z.40a new)

Sec. 356z.40a. Pregnancy as a qualifying life event for qualified health plans. Beginning with the operation of a State-based exchange in plan year 2026, a pregnant individual has the right to enroll in a qualified health plan through a special enrollment period within 60 days after any qualified health care professional, including a licensed certified professional midwife, licensed or certified under the laws of this State or any other state to provide pregnancy-related health care services certifies that the individual is pregnant. Upon enrollment, coverage shall be effective on and after the first day of the month in which the qualified health care professional certifies that the individual is pregnant, unless the individual elects to have coverage effective on the first day of the month following the date that the individual received certification of the pregnancy.

Section 15. The Illinois Health Insurance Portability and Accountability Act is amended by changing Sections 30, 50, and 60 as follows:

(215 ILCS 97/30)

Sec. 30. Guaranteed renewability of coverage for employers in the group market.

(A) In general. Except as provided in this Section, if a health insurance issuer offers health insurance coverage in the small or large group market in connection with a group health plan, the issuer must renew or continue in force such coverage at the option of the plan sponsor of the plan.

(B) General exceptions. A health insurance issuer may nonrenew or discontinue health insurance coverage offered in connection with a group health plan in the small or large group market based only on one or more of the following:

(1) Nonpayment of premiums. The plan sponsor has failed to pay premiums or contributions in accordance with the terms of the health insurance coverage or the issuer has not received timely premium payments.

(2) Fraud. The plan sponsor has performed an act or practice that constitutes fraud or made an intentional misrepresentation of material fact under the terms of the coverage.

(3) Violation of participation or contribution rules. The plan sponsor has failed to comply with a material plan provision relating to employer contribution or group participation rules, as permitted under Section 40(D) in the case of the small group market or pursuant to applicable State law in the case of the large group market.

(4) Termination of coverage. The issuer is ceasing to offer coverage in such market in accordance with subsection (C) and applicable State law.

(5) Movement outside service area. In the case of a health insurance issuer that offers health insurance coverage in the market through a network plan, there is no longer any enrollee in connection with such plan who lives, resides, or works in the service area of the issuer (or in the area for which the issuer is authorized to do business) and, in the case of the small group market, the issuer would deny enrollment with respect to such plan under Section 40(C)(1)(a).

(6) Association membership ceases. In the case of health insurance coverage that is made available in the small or large group market (as the case may be) only through one or more bona fide association, the membership of an employer in the association (on the basis of which the coverage is provided) ceases but only if such coverage is terminated under this paragraph uniformly without regard to any health status-related factor relating to any covered individual.

(C) Requirements for uniform termination of coverage.

(1) Particular type of coverage not offered. In any case in which an issuer decides to discontinue offering a particular type of group health insurance coverage offered in the small or large group market, coverage of such type may be discontinued by the issuer in accordance with applicable State law in such market only if:

(a) the issuer provides notice to each plan sponsor provided coverage of this type in such market (and participants and beneficiaries covered under such coverage) of such discontinuation at least 90 days prior to the date of the discontinuation of such coverage;

(b) the issuer offers to each plan sponsor provided coverage of this type in such market, the option to purchase all (or, in the case of the large group market, any) other health insurance coverage currently being offered by the issuer to a group health plan in such market; and

(c) in exercising the option to discontinue coverage of this type and in offering the option of coverage under subparagraph (b), the issuer acts uniformly without regard to the claims experience of those sponsors or any health status-related factor relating to any participants or beneficiaries who may become eligible for such coverage.

(2) Discontinuance of all coverage.

(a) In general. In any case in which a health insurance issuer elects to discontinue offering all health insurance coverage in the small group market or the large group market, or both markets, in Illinois, health insurance coverage may be discontinued by the issuer only in accordance with Illinois law and if:

(i) the issuer provides notice ~~to the Department and~~ to each plan sponsor (and participants and beneficiaries covered under such coverage) of such discontinuation at least 180 days prior to the date of the discontinuation of such coverage and to the Department as provided in Section 60 of this Act; and

(ii) all health insurance issued or delivered for issuance in Illinois in such market (or markets) are discontinued and coverage under such health insurance coverage in such market (or markets) is not renewed.

(b) Prohibition on market reentry. In the case of a discontinuation under subparagraph (a) in a market, the issuer may not provide for the issuance of any health insurance coverage in the Illinois market involved during the 5-year period beginning on the date of the discontinuation of the last health insurance coverage not so renewed.

(D) Exception for uniform modification of coverage. At the time of coverage renewal, a health insurance issuer may modify the health insurance coverage for a product offered to a group health plan:

(1) in the large group market; or

(2) in the small group market if, for coverage that is available in such market other than only through one or more bona fide associations, such modification is consistent with State law and effective on a uniform basis among group health plans with that product.

(E) Application to coverage offered only through associations. In applying this Section in the case of health insurance coverage that is made available by a health insurance issuer in the small or large group market to employers only through one or more associations, a reference to "plan sponsor" is deemed, with respect to coverage provided to an employer member of the association, to include a reference to such employer.

(Source: P.A. 90-30, eff. 7-1-97.)

(215 ILCS 97/50)

Sec. 50. Guaranteed renewability of individual health insurance coverage.

(A) In general. Except as provided in this Section, a health insurance issuer that provides individual health insurance coverage to an individual shall renew or continue in force such coverage at the option of the individual.

(B) General exceptions. A health insurance issuer may nonrenew or discontinue health insurance coverage of an individual in the individual market based only on one or more of the following:

(1) Nonpayment of premiums. The individual has failed to pay premiums or contributions in accordance with the terms of the health insurance coverage or the issuer has not received timely premium payments.

(2) Fraud. The individual has performed an act or practice that constitutes fraud or made an intentional misrepresentation of material fact under the terms of the coverage.

(3) Termination of plan. The issuer is ceasing to offer coverage in the individual market in accordance with subsection (C) of this Section and applicable Illinois law.

(4) Movement outside the service area. In the case of a health insurance issuer that offers health insurance coverage in the market through a network plan, the individual no longer resides, lives, or works in the service area (or in an area for which the issuer is authorized to do business), but only if such coverage is terminated under this paragraph uniformly without regard to any health status-related factor of covered individuals.

(5) Association membership ceases. In the case of health insurance coverage that is made available in the individual market only through one or more bona fide associations, the membership of the individual in the association (on the basis of which the coverage is provided) ceases, but only if such coverage is terminated under this paragraph uniformly without regard to any health status-related factor of covered individuals.

(C) Requirements for uniform termination of coverage.

(1) Particular type of coverage not offered. In any case in which an issuer decides to discontinue offering a particular type of health insurance coverage offered in the individual market, coverage of such type may be discontinued by the issuer only if:

(a) the issuer provides notice to each covered individual provided coverage of this type in such market of such discontinuation at least 90 days prior to the date of the discontinuation of such coverage;

(b) the issuer offers, to each individual in the individual market provided coverage of this type, the option to purchase any other individual health insurance coverage currently being offered by the issuer for individuals in such market; and

(c) in exercising the option to discontinue coverage of that type and in offering the option of coverage under subparagraph (b), the issuer acts uniformly without regard to any health status-related factor of enrolled individuals or individuals who may become eligible for such coverage.

(2) Discontinuance of all coverage.

(a) In general. Subject to subparagraph (c), in any case in which a health insurance issuer elects to discontinue offering all health insurance coverage in the individual market in Illinois, health insurance coverage may be discontinued by the issuer only if:

(i) the issuer provides notice ~~to the Director and~~ to each individual of the discontinuation at least 180 days prior to the date of the expiration of such coverage and to the Director as provided in Section 60 of this Act;

(ii) all health insurance issued or delivered for issuance in Illinois in such market is discontinued and coverage under such health insurance coverage in such market is not renewed; and

(iii) in the case where the issuer has affiliates in the individual market, the issuer gives notice to each affected individual at least 180 days prior to the date of the expiration of the coverage of the individual's option to purchase all other individual health benefit plans currently offered by any affiliate of the carrier.

(b) Prohibition on market reentry. In the case of a discontinuation under subparagraph (a) in the individual market, the issuer may not provide for the issuance of any health insurance coverage in Illinois involved during the 5-year period beginning on the date of the discontinuation of the last health insurance coverage not so renewed.

(c) If an issuer elects to discontinue offering all health insurance coverage in the individual market under subparagraph (a), its affiliates that offer health insurance coverage in the individual market in Illinois shall offer individual health insurance coverage to all individuals who were covered by the discontinued health insurance coverage on the date of the notice provided to affected individuals under subdivision (iii) of subparagraph (a) of this item (2) if the individual applies for coverage no later than 63 days after the discontinuation of coverage.

(d) Subject to subparagraph (e) of this item (2), an affiliate that issues coverage under subparagraph (c) shall waive the preexisting condition exclusion period to the extent that the individual has satisfied the preexisting condition exclusion period under the individual's prior contract or policy.

(e) An affiliate that issues coverage under subparagraph (c) may require the individual to satisfy the remaining part of the preexisting condition exclusion period, if any, under the individual's prior contract or policy that has not been satisfied, unless the coverage has a shorter preexisting condition exclusion period, and may include in any coverage issued under subparagraph (c) any waivers or limitations of coverage that were included in the individual's prior contract or policy.

(D) Exception for uniform modification of coverage. At the time of coverage renewal, a health insurance issuer may modify the health insurance coverage for a policy form offered to individuals in the individual market so long as the modification is consistent with Illinois law and effective on a uniform basis among all individuals with that policy form.

(E) Application to coverage offered only through associations. In applying this Section in the case of health insurance coverage that is made available by a health insurance issuer in the individual market to individuals only through one or more associations, a reference to an "individual" is deemed to include a reference to such an association (of which the individual is a member).

The changes to this Section made by this amendatory Act of the 94th General Assembly apply only to discontinuances of coverage occurring on or after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 94-502, eff. 8-8-05.)

(215 ILCS 97/60)

Sec. 60. Notice requirement. In any case where a health insurance issuer elects to uniformly modify coverage, uniformly terminate coverage, or discontinue coverage in a marketplace in accordance with Sections 30 and 50 of this Act, the issuer shall provide notice to the Department prior to notifying the plan sponsors, participants, beneficiaries, and covered individuals. The notice shall be sent by certified mail to the Department 45 ~~90~~ days in advance of any notification of the company's actions sent to plan sponsors, participants, beneficiaries, and covered individuals. The notice shall include: (i) a complete description of the action to be taken, (ii) a specific description of the type of coverage affected, (iii) the total number of covered lives affected, (iv) a sample draft of all letters being sent to the plan sponsors, participants, beneficiaries, or covered individuals, (v) time frames for the actions being taken, (vi) options the plans sponsors, participants, beneficiaries, or covered individuals may have available to them under this Act, and (vii) any other information as required by the Department. The Department may designate an email address or online platform to receive electronic notification in lieu of certified mail.

This Section applies only to discontinuances of coverage occurring on or after the effective date of this amendatory Act of the 94th General Assembly.

(Source: P.A. 94-502, eff. 8-8-05.)

Section 20. The Network Adequacy and Transparency Act is amended by changing Sections 3, 5, 10, and 25 as follows:

(215 ILCS 124/3)

Sec. 3. Applicability of Act. This Act applies to an individual or group policy of accident and health insurance with a network plan amended, delivered, issued, or renewed in this State on or after January 1, 2019. This Act does not apply to an individual or group policy for excepted benefits or short-term, limited-duration health insurance coverage ~~dental or vision insurance or a limited health service organization~~ with a network plan ~~amended, delivered, issued, or renewed in this State on or after January 1, 2019~~, except to the extent that federal law establishes network adequacy and transparency standards for stand-alone dental plans, which the Department shall enforce.

(Source: P.A. 100-502, eff. 9-15-17; 100-601, eff. 6-29-18.)

(215 ILCS 124/5)

Sec. 5. Definitions. In this Act:

"Authorized representative" means a person to whom a beneficiary has given express written consent to represent the beneficiary; a person authorized by law to provide substituted consent for a beneficiary; or the beneficiary's treating provider only when the beneficiary or his or her family member is unable to provide consent.

"Beneficiary" means an individual, an enrollee, an insured, a participant, or any other person entitled to reimbursement for covered expenses of or the discounting of provider fees for health care services under a program in which the beneficiary has an incentive to utilize the services of a provider that has entered into an agreement or arrangement with an insurer.

"Department" means the Department of Insurance.

"Director" means the Director of Insurance.

"Excepted benefits" has the meaning given to that term in 42 U.S.C. 300gg-91(c).

"Family caregiver" means a relative, partner, friend, or neighbor who has a significant relationship with the patient and administers or assists the patient with activities of daily living, instrumental activities of daily living, or other medical or nursing tasks for the quality and welfare of that patient.

"Insurer" means any entity that offers individual or group accident and health insurance, including, but not limited to, health maintenance organizations, preferred provider organizations, exclusive provider organizations, and other plan structures requiring network participation, excluding the medical assistance program under the Illinois Public Aid Code, the State employees group health insurance program, workers compensation insurance, and pharmacy benefit managers.

"Material change" means a significant reduction in the number of providers available in a network plan, including, but not limited to, a reduction of 10% or more in a specific type of providers, the removal of a major health system that causes a network to be significantly different from the network when the beneficiary purchased the network plan, or any change that would cause the network to no longer satisfy the requirements of this Act or the Department's rules for network adequacy and transparency.

"Network" means the group or groups of preferred providers providing services to a network plan.

"Network plan" means an individual or group policy of accident and health insurance that either requires a covered person to use or creates incentives, including financial incentives, for a covered person to use providers managed, owned, under contract with, or employed by the insurer.

"Ongoing course of treatment" means (1) treatment for a life-threatening condition, which is a disease or condition for which likelihood of death is probable unless the course of the disease or condition is interrupted; (2) treatment for a serious acute condition, defined as a disease or condition requiring complex ongoing care that the covered person is currently receiving, such as chemotherapy, radiation therapy, or post-operative visits; (3) a course of treatment for a health condition that a treating provider attests that discontinuing care by that provider would worsen the condition or interfere with anticipated outcomes; or (4) the third trimester of pregnancy through the post-partum period.

"Preferred provider" means any provider who has entered, either directly or indirectly, into an agreement with an employer or risk-bearing entity relating to health care services that may be rendered to beneficiaries under a network plan.

"Providers" means physicians licensed to practice medicine in all its branches, other health care professionals, hospitals, or other health care institutions that provide health care services.

"Short-term, limited-duration health insurance coverage has the meaning given to that term in Section 5 of the Short-Term, Limited-Duration Health Insurance Coverage Act.

"Stand-alone dental plan" has the meaning given to that term in 45 CFR 156.400.

"Telehealth" has the meaning given to that term in Section 356z.22 of the Illinois Insurance Code.

"Telemedicine" has the meaning given to that term in Section 49.5 of the Medical Practice Act of 1987.

"Tiered network" means a network that identifies and groups some or all types of provider and facilities into specific groups to which different provider reimbursement, covered person cost-sharing or provider access requirements, or any combination thereof, apply for the same services.

"Woman's principal health care provider" means a physician licensed to practice medicine in all of its branches specializing in obstetrics, gynecology, or family practice.

(Source: P.A. 102-92, eff. 7-9-21; 102-813, eff. 5-13-22.)

(215 ILCS 124/10)

Sec. 10. Network adequacy.

(a) An insurer providing a network plan shall file a description of all of the following with the Director:

(1) The written policies and procedures for adding providers to meet patient needs based on increases in the number of beneficiaries, changes in the patient-to-provider ratio, changes in medical and health care capabilities, and increased demand for services.

(2) The written policies and procedures for making referrals within and outside the network.

(3) The written policies and procedures on how the network plan will provide 24-hour, 7-day per week access to network-affiliated primary care, emergency services, and women's principal health care providers.

An insurer shall not prohibit a preferred provider from discussing any specific or all treatment options with beneficiaries irrespective of the insurer's position on those treatment options or from advocating on behalf of beneficiaries within the utilization review, grievance, or appeals processes established by the insurer in accordance with any rights or remedies available under applicable State or federal law.

(b) Insurers must file for review a description of the services to be offered through a network plan. The description shall include all of the following:

(1) A geographic map of the area proposed to be served by the plan by county service area and zip code, including marked locations for preferred providers.

(2) As deemed necessary by the Department, the names, addresses, phone numbers, and specialties of the providers who have entered into preferred provider agreements under the network plan.

(3) The number of beneficiaries anticipated to be covered by the network plan.

(4) An Internet website and toll-free telephone number for beneficiaries and prospective beneficiaries to access current and accurate lists of preferred providers, additional information about the plan, as well as any other information required by Department rule.

(5) A description of how health care services to be rendered under the network plan are reasonably accessible and available to beneficiaries. The description shall address all of the following:

(A) the type of health care services to be provided by the network plan;

(B) the ratio of physicians and other providers to beneficiaries, by specialty and including primary care physicians and facility-based physicians when applicable under the contract, necessary to meet the health care needs and service demands of the currently enrolled population;

(C) the travel and distance standards for plan beneficiaries in county service areas; and

(D) a description of how the use of telemedicine, telehealth, or mobile care services may be used to partially meet the network adequacy standards, if applicable.

(6) A provision ensuring that whenever a beneficiary has made a good faith effort, as evidenced by accessing the provider directory, calling the network plan, and calling the provider, to utilize preferred providers for a covered service and it is determined the insurer does not have the appropriate preferred providers due to insufficient number, type, unreasonable travel distance or delay, or preferred providers refusing to provide a covered service because it is contrary to the conscience of the preferred providers, as protected by the Health Care Right of Conscience Act, the insurer shall ensure, directly or indirectly, by terms contained in the payer contract, that the beneficiary will be provided the covered service at no greater cost to the beneficiary than if the service had been provided by a preferred provider. This paragraph (6) does not apply to: (A) a beneficiary who willfully chooses to access a non-preferred provider for health care services available through the panel of preferred

providers, or (B) a beneficiary enrolled in a health maintenance organization. In these circumstances, the contractual requirements for non-preferred provider reimbursements shall apply unless Section 356z.3a of the Illinois Insurance Code requires otherwise. In no event shall a beneficiary who receives care at a participating health care facility be required to search for participating providers under the circumstances described in subsection (b) or (b-5) of Section 356z.3a of the Illinois Insurance Code except under the circumstances described in paragraph (2) of subsection (b-5).

(7) A provision that the beneficiary shall receive emergency care coverage such that payment for this coverage is not dependent upon whether the emergency services are performed by a preferred or non-preferred provider and the coverage shall be at the same benefit level as if the service or treatment had been rendered by a preferred provider. For purposes of this paragraph (7), "the same benefit level" means that the beneficiary is provided the covered service at no greater cost to the beneficiary than if the service had been provided by a preferred provider. This provision shall be consistent with Section 356z.3a of the Illinois Insurance Code.

(8) A limitation that, if the plan provides that the beneficiary will incur a penalty for failing to pre-certify inpatient hospital treatment, the penalty may not exceed $1,000 per occurrence in addition to the plan cost sharing provisions.

(c) The network plan shall demonstrate to the Director a minimum ratio of providers to plan beneficiaries as required by the Department.

(1) The ratio of physicians or other providers to plan beneficiaries shall be established annually by the Department in consultation with the Department of Public Health based upon the guidance from the federal Centers for Medicare and Medicaid Services. The Department shall not establish ratios for vision or dental providers who provide services under dental-specific or vision-specific benefits, except to the extent provided under federal law for stand-alone dental plans. The Department shall consider establishing ratios for the following physicians or other providers:

(A) Primary Care;
(B) Pediatrics;
(C) Cardiology;
(D) Gastroenterology;
(E) General Surgery;
(F) Neurology;
(G) OB/GYN;
(H) Oncology/Radiation;
(I) Ophthalmology;
(J) Urology;
(K) Behavioral Health;
(L) Allergy/Immunology;
(M) Chiropractic;
(N) Dermatology;
(O) Endocrinology;
(P) Ears, Nose, and Throat (ENT)/Otolaryngology;
(Q) Infectious Disease;
(R) Nephrology;
(S) Neurosurgery;
(T) Orthopedic Surgery;
(U) Physiatry/Rehabilitative;
(V) Plastic Surgery;
(W) Pulmonary;
(X) Rheumatology;
(Y) Anesthesiology;
(Z) Pain Medicine;
(AA) Pediatric Specialty Services;
(BB) Outpatient Dialysis; and
(CC) HIV.

(2) The Director shall establish a process for the review of the adequacy of these standards, along with an assessment of additional specialties to be included in the list under this subsection (c).

(3) If the federal Centers for Medicare and Medicaid Services establishes minimum provider ratios for stand-alone dental plans in the type of exchange in use in this State for a given plan year, the Department shall enforce those standards for stand-alone dental plans for that plan year.

(d) The network plan shall demonstrate to the Director maximum travel and distance standards for plan beneficiaries, which shall be established annually by the Department in consultation with the Department of Public Health based upon the guidance from the federal Centers for Medicare and Medicaid Services. These standards shall consist of the maximum minutes or miles to be traveled by a plan beneficiary for each county type, such as large counties, metro counties, or rural counties as defined by Department rule.

The maximum travel time and distance standards must include standards for each physician and other provider category listed for which ratios have been established.

The Director shall establish a process for the review of the adequacy of these standards along with an assessment of additional specialties to be included in the list under this subsection (d).

If the federal Centers for Medicare and Medicaid Services establishes appointment wait-time standards for qualified health plans, including stand-alone dental plans, in the type of exchange in use in this State for a given plan year, the Department shall enforce those standards for the same types of qualified health plans for that plan year. If the federal Centers for Medicare and Medicaid Services establishes time and distance standards for stand-alone dental plans in the type of exchange in use in this State for a given plan year, the Department shall enforce those standards for stand-alone dental plans for that plan year.

(d-5)(1) Every insurer shall ensure that beneficiaries have timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions in accordance with the provisions of paragraph (4) of subsection (a) of Section 370c of the Illinois Insurance Code. Insurers shall use a comparable process, strategy, evidentiary standard, and other factors in the development and application of the network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions and those for the access to treatment for medical and surgical conditions. As such, the network adequacy standards for timely and proximate access shall equally be applied to treatment facilities and providers for mental, emotional, nervous, or substance use disorders or conditions and specialists providing medical or surgical benefits pursuant to the parity requirements of Section 370c.1 of the Illinois Insurance Code and the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Notwithstanding the foregoing, the network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions shall, at a minimum, satisfy the following requirements:

(A) For beneficiaries residing in the metropolitan counties of Cook, DuPage, Kane, Lake, McHenry, and Will, network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions means a beneficiary shall not have to travel longer than 30 minutes or 30 miles from the beneficiary's residence to receive outpatient treatment for mental, emotional, nervous, or substance use disorders or conditions. Beneficiaries shall not be required to wait longer than 10 business days between requesting an initial appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment or to wait longer than 20 business days between requesting a repeat or follow-up appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment; however, subject to the protections of paragraph (3) of this subsection, a network plan shall not be held responsible if the beneficiary or provider voluntarily chooses to schedule an appointment outside of these required time frames.

(B) For beneficiaries residing in Illinois counties other than those counties listed in subparagraph (A) of this paragraph, network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions means a beneficiary shall not have to travel longer than 60 minutes or 60 miles from the beneficiary's residence to receive outpatient treatment for mental, emotional, nervous, or substance use disorders or conditions. Beneficiaries shall not be required to wait longer than 10 business days between requesting an initial appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment or to wait longer than 20 business days between requesting a repeat or follow-up appointment and being seen by the facility or provider of mental, emotional, nervous, or substance use disorders or conditions for outpatient treatment; however, subject to the protections of paragraph (3) of this subsection, a network plan shall

not be held responsible if the beneficiary or provider voluntarily chooses to schedule an appointment outside of these required time frames.

(2) For beneficiaries residing in all Illinois counties, network adequacy standards for timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions means a beneficiary shall not have to travel longer than 60 minutes or 60 miles from the beneficiary's residence to receive inpatient or residential treatment for mental, emotional, nervous, or substance use disorders or conditions.

(3) If there is no in-network facility or provider available for a beneficiary to receive timely and proximate access to treatment for mental, emotional, nervous, or substance use disorders or conditions in accordance with the network adequacy standards outlined in this subsection, the insurer shall provide necessary exceptions to its network to ensure admission and treatment with a provider or at a treatment facility in accordance with the network adequacy standards in this subsection.

(4) If the federal Centers for Medicare and Medicaid Services establishes a more stringent standard in any county than specified in paragraph (1) or (2) of this subsection (d-5) for qualified health plans in the type of exchange in use in this State for a given plan year, the federal standard shall apply in lieu of the standard in paragraph (1) or (2) of this subsection (d-5) for qualified health plans for that plan year.

(e) Except for network plans solely offered as a group health plan, these ratio and time and distance standards apply to the lowest cost-sharing tier of any tiered network.

(f) The network plan may consider use of other health care service delivery options, such as telemedicine or telehealth, mobile clinics, and centers of excellence, or other ways of delivering care to partially meet the requirements set under this Section.

(g) Except for the requirements set forth in subsection (d-5), insurers who are not able to comply with the provider ratios, ~~and~~ time and distance standards, and appointment wait-time standards established under this Act or federal law ~~established by the Department~~ may request an exception to these requirements from the Department. The Department may grant an exception in the following circumstances:

(1) if no providers or facilities meet the specific time and distance standard in a specific service area and the insurer (i) discloses information on the distance and travel time points that beneficiaries would have to travel beyond the required criterion to reach the next closest contracted provider outside of the service area and (ii) provides contact information, including names, addresses, and phone numbers for the next closest contracted provider or facility;

(2) if patterns of care in the service area do not support the need for the requested number of provider or facility type and the insurer provides data on local patterns of care, such as claims data, referral patterns, or local provider interviews, indicating where the beneficiaries currently seek this type of care or where the physicians currently refer beneficiaries, or both; or

(3) other circumstances deemed appropriate by the Department consistent with the requirements of this Act.

(h) Insurers are required to report to the Director any material change to an approved network plan within 15 days after the change occurs and any change that would result in failure to meet the requirements of this Act. Upon notice from the insurer, the Director shall reevaluate the network plan's compliance with the network adequacy and transparency standards of this Act.

(Source: P.A. 102-144, eff. 1-1-22; 102-901, eff. 7-1-22; 102-1117, eff. 1-13-23.)

(215 ILCS 124/25)

Sec. 25. Network transparency.

(a) A network plan shall post electronically an up-to-date, accurate, and complete provider directory for each of its network plans, with the information and search functions, as described in this Section.

(1) In making the directory available electronically, the network plans shall ensure that the general public is able to view all of the current providers for a plan through a clearly identifiable link or tab and without creating or accessing an account or entering a policy or contract number.

(2) The network plan shall update the online provider directory at least monthly. Providers shall notify the network plan electronically or in writing of any changes to their information as listed in the provider directory, including the information required in subparagraph (K) of paragraph (1) of subsection (b). The network plan shall update its online provider directory in a manner consistent with the information provided by the provider within 10 business days after being notified of the change by the provider. Nothing in this paragraph (2) shall void any contractual relationship between the provider and the plan.

(3) The network plan shall audit periodically at least 25% of its provider directories for accuracy, make any corrections necessary, and retain documentation of the audit. The network plan shall submit the audit to the Director upon request. As part of these audits, the network plan shall contact any provider in its network that has not submitted a claim to the plan or otherwise communicated his or her intent to continue participation in the plan's network.

(4) A network plan shall provide a printed ~~print~~ copy of a current provider directory or a printed ~~print~~ copy of the requested directory information upon request of a beneficiary or a prospective beneficiary. Printed ~~Print~~ copies must be updated quarterly and an errata that reflects changes in the provider network must be updated quarterly.

(5) For each network plan, a network plan shall include, in plain language in both the electronic and print directory, the following general information:

(A) in plain language, a description of the criteria the plan has used to build its provider network;

(B) if applicable, in plain language, a description of the criteria the insurer or network plan has used to create tiered networks;

(C) if applicable, in plain language, how the network plan designates the different provider tiers or levels in the network and identifies for each specific provider, hospital, or other type of facility in the network which tier each is placed, for example, by name, symbols, or grouping, in order for a beneficiary-covered person or a prospective beneficiary-covered person to be able to identify the provider tier; and

(D) if applicable, a notation that authorization or referral may be required to access some providers.

(6) A network plan shall make it clear for both its electronic and print directories what provider directory applies to which network plan, such as including the specific name of the network plan as marketed and issued in this State. The network plan shall include in both its electronic and print directories a customer service email address and telephone number or electronic link that beneficiaries or the general public may use to notify the network plan of inaccurate provider directory information and contact information for the Department's Office of Consumer Health Insurance.

(7) A provider directory, whether in electronic or print format, shall accommodate the communication needs of individuals with disabilities, and include a link to or information regarding available assistance for persons with limited English proficiency.

(b) For each network plan, a network plan shall make available through an electronic provider directory the following information in a searchable format:

(1) for health care professionals:

(A) name;

(B) gender;

(C) participating office locations;

(D) specialty, if applicable;

(E) medical group affiliations, if applicable;

(F) facility affiliations, if applicable;

(G) participating facility affiliations, if applicable;

(H) languages spoken other than English, if applicable;

(I) whether accepting new patients;

(J) board certifications, if applicable; and

(K) use of telehealth or telemedicine, including, but not limited to:

(i) whether the provider offers the use of telehealth or telemedicine to deliver services to patients for whom it would be clinically appropriate;

(ii) what modalities are used and what types of services may be provided via telehealth or telemedicine; and

(iii) whether the provider has the ability and willingness to include in a telehealth or telemedicine encounter a family caregiver who is in a separate location than the patient if the patient wishes and provides his or her consent;

(2) for hospitals:

(A) hospital name;

(B) hospital type (such as acute, rehabilitation, children's, or cancer);

(C) participating hospital location; and

(D) hospital accreditation status; and

(3) for facilities, other than hospitals, by type:

(A) facility name;

(B) facility type;

(C) types of services performed; and

(D) participating facility location or locations.

(c) For the electronic provider directories, for each network plan, a network plan shall make available all of the following information in addition to the searchable information required in this Section:

(1) for health care professionals:

(A) contact information; and

(B) languages spoken other than English by clinical staff, if applicable;

(2) for hospitals, telephone number; and

(3) for facilities other than hospitals, telephone number.

(d) The insurer or network plan shall make available in print, upon request, the following provider directory information for the applicable network plan:

(1) for health care professionals:

(A) name;

(B) contact information;

(C) participating office location or locations;

(D) specialty, if applicable;

(E) languages spoken other than English, if applicable;

(F) whether accepting new patients; and

(G) use of telehealth or telemedicine, including, but not limited to:

(i) whether the provider offers the use of telehealth or telemedicine to deliver services to patients for whom it would be clinically appropriate;

(ii) what modalities are used and what types of services may be provided via telehealth or telemedicine; and

(iii) whether the provider has the ability and willingness to include in a telehealth or telemedicine encounter a family caregiver who is in a separate location than the patient if the patient wishes and provides his or her consent;

(2) for hospitals:

(A) hospital name;

(B) hospital type (such as acute, rehabilitation, children's, or cancer); and

(C) participating hospital location and telephone number; and

(3) for facilities, other than hospitals, by type:

(A) facility name;

(B) facility type;

(C) types of services performed; and

(D) participating facility location or locations and telephone numbers.

(e) The network plan shall include a disclosure in the print format provider directory that the information included in the directory is accurate as of the date of printing and that beneficiaries or prospective beneficiaries should consult the insurer's electronic provider directory on its website and contact the provider. The network plan shall also include a telephone number in the print format provider directory for a customer service representative where the beneficiary can obtain current provider directory information.

(f) The Director may conduct periodic audits of the accuracy of provider directories. A network plan shall not be subject to any fines or penalties for information required in this Section that a provider submits that is inaccurate or incomplete.

(g) This Section applies to network plans that are not otherwise exempt under Section 3, including stand-alone dental plans that are subject to provider directory requirements under federal law.

(Source: P.A. 102-92, eff. 7-9-21; revised 9-26-23.)

Section 25. The Health Maintenance Organization Act is amended by changing Section 5-3 as follows:

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

Sec. 5-3. Insurance Code provisions.

(a) Health Maintenance Organizations shall be subject to the provisions of Sections 133, 134, 136, 137, 139, 140, 141.1, 141.2, 141.3, 143, 143c, 147, 148, 149, 151, 152, 153, 154, 154.5, 154.6, 154.7, 154.8, 155.04, 155.22a, 155.49, 355.2, 355.3, 355b, 355c, 356f, 356g.5-1, 356m, 356q, 356v, 356w, 356x, 356z.2, 356z.3a, 356z.4, 356z.4a, 356z.5, 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.17, 356z.18, 356z.19, 356z.20, 356z.21, 356z.22, 356z.23, 356z.24, 356z.25, 356z.26, 356z.28, 356z.29, 356z.30, 356z.30a, 356z.31, 356z.32, 356z.33, 356z.34, 356z.35, 356z.36, 356z.37, 356z.38, 356z.39, 356z.40, 356z.40a, 356z.41, 356z.44, 356z.45, 356z.46, 356z.47, 356z.48, 356z.49, 356z.50, 356z.51, 356z.53, 356z.54, 356z.55, 356z.56, 356z.57, 356z.58, 356z.59, 356z.60, 356z.61, 356z.62, 356z.64, 356z.65, 356z.67, 356z.68, 364, 364.01, 364.3, 367.2, 367.2-5, 367i, 368a, 368b, 368c, 368d, 368e, 370c, 370c.1, 401, 401.1, 402, 403, 403A, 408, 408.2, 409, 412, 444, and 444.1, paragraph (c) of subsection (2) of Section 367, and Articles IIA, VIII 1/2, XII, XII 1/2, XIII, XIII 1/2, XXV, XXVI, and XXXIIB of the Illinois Insurance Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 30. The Managed Care Reform and Patient Rights Act is amended by changing Section 45.3 as follows:

(215 ILCS 134/45.3)

Sec. 45.3. Prescription drug benefits; plan choice.

(a) Notwithstanding any other provision of law, beginning January 1, 2023, every health insurance carrier that offers an individual health plan that provides coverage for prescription drugs shall ensure that at least 10% of individual health care plans offered in each applicable service area and at each level of coverage as defined in 42 U.S.C. 18022(d) apply a flat-dollar copayment structure to the entire drug benefit. Beginning January 1, 2024, every health insurance carrier that offers an individual health plan that provides coverage for prescription drugs shall ensure that at least 25% of individual health care plans offered in each applicable service area and at each level of coverage as defined in 42 U.S.C. 18022(d) apply a flat-dollar copayment structure to the entire drug benefit. If a health insurance carrier offers fewer than 4 plans in a service area, then the health insurance carrier shall ensure that one plan applies a flat-dollar copayment structure to the entire drug benefit.

(b) ~~Beginning January 1, 2023, every health insurance carrier that offers a group health plan that provides coverage for prescription drugs shall offer at least one group health plan in each applicable service area and at each level of coverage as defined in 42 U.S.C. 18022 that applies a flat-dollar copayment structure to the entire drug benefit.~~ Every ~~Beginning January 1, 2024, every~~ health insurance carrier that offers a small group health plan that provides coverage for prescription drugs shall offer at least 2 small group health plans in each applicable service area and at each level of coverage as defined in 42 U.S.C. 18022(d) that apply a flat-dollar copayment structure to the entire drug benefit.

(c) The flat-dollar copayment structure for prescription drugs under subsections (a) and (b) must be applied pre-deductible and be reasonably graduated and proportionately related in all tier levels such that the copayment structure as a whole does not discriminate against or discourage the enrollment of individuals

with significant health care needs. Notwithstanding the other provisions of this subsection, beginning January 1, 2025, each level of coverage that a health insurance carrier offers of a standardized option in each applicable service area shall be deemed to satisfy the requirements for a flat-dollar copay structure in subsection (a).

For purposes of this subsection, "standardized option" has the meaning given to that term in 45 CFR 155.20 or, when Illinois has a State-based exchange, a substantially similar definition to "standardized option" in 45 CFR 155.20 that substitutes the Illinois Health Benefits Exchange for the United States Department of Health and Human Services.

(d) A health insurance carrier that offers individual or small group health care plans shall clearly and appropriately name the plans described in subsections (a) and (b) to aid in the individual or small group plan selection process.

(e) A health insurance carrier shall market plans described in subsections (a) and (b) in the same manner as plans not described in subsections (a) and (b).

(f) The Department shall adopt rules necessary to implement and enforce the provisions of this Section.

(Source: P.A. 102-391, eff. 1-1-23.)

Section 99. Effective date. This Act takes effect upon becoming law, except that the changes to Sections 3, 5, 10, and 25 of the Network Adequacy and Transparency Act take effect January 1, 2025.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Lightford, **Senate Bill No. 3359** having been printed, was taken up, read by title a second time.

Senator Lightford offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3359

AMENDMENT NO. 1 . Amend Senate Bill 3359 by replacing everything after the enacting clause with the following:

"Section 5. The Liquor Control Act of 1934 is amended by changing Sections 5-1, 5-3, 6-16, 6-27.1, and 6-28.8 and by adding Sections 6-28.9 and 6-28.10 as follows:

(235 ILCS 5/5-1) (from Ch. 43, par. 115)

Sec. 5-1. Licenses issued by the Illinois Liquor Control Commission shall be of the following classes:

(a) Manufacturer's license - Class 1. Distiller, Class 2. Rectifier, Class 3. Brewer, Class 4. First Class Wine Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6. First Class Winemaker, Class 7. Second Class Winemaker, Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer, Class 14. Class 3 Brewer,

(b) Distributor's license,

(c) Importing Distributor's license,

(d) Retailer's license,

(e) Special Event Retailer's license (not-for-profit),

(f) Railroad license,

(g) Boat license,

(h) Non-Beverage User's license,

(i) Wine-maker's premises license,

(j) Airplane license,

(k) Foreign importer's license,

(l) Broker's license,

(m) Non-resident dealer's license,

(n) Brew Pub license,

(o) Auction liquor license,

(p) Caterer retailer license,
(q) Special use permit license,
(r) Winery shipper's license,
(s) Craft distiller tasting permit,
(t) Brewer warehouse permit,
(u) Distilling pub license,
(v) Craft distiller warehouse permit,
(w) Beer showcase permit, -
(x) Third-party retailer delivery license.

No person, firm, partnership, corporation, or other legal business entity that is engaged in the manufacturing of wine may concurrently obtain and hold a wine-maker's license and a wine manufacturer's license.

(a) A manufacturer's license shall allow the manufacture, importation in bulk, storage, distribution and sale of alcoholic liquor to persons without the State, as may be permitted by law and to licensees in this State as follows:

Class 1. A Distiller may make sales and deliveries of alcoholic liquor to distillers, rectifiers, importing distributors, distributors and non-beverage users and to no other licensees.

Class 2. A Rectifier, who is not a distiller, as defined herein, may make sales and deliveries of alcoholic liquor to rectifiers, importing distributors, distributors, retailers and non-beverage users and to no other licensees.

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act, including any alcoholic liquor that subsection (e) of Section 6-4 authorizes a brewer to sell in its original package only to a non-licensee for pick-up by a non-licensee either within the interior of the brewery premises or at outside of the brewery premises at a curb-side or parking lot adjacent to the brewery premises, subject to any local ordinance.

Class 4. A first class wine-manufacturer may make sales and deliveries of up to 50,000 gallons of wine to manufacturers, importing distributors and distributors, and to no other licensees. If a first-class wine-manufacturer manufactures beer, it shall also obtain and shall only be eligible for, in addition to any current license, a class 1 brewer license, shall not manufacture more than 930,000 gallons of beer per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 930,000 gallons of beer per year. If the first-class wine-manufacturer manufactures spirits, it shall also obtain and shall only be eligible for, in addition to any current license, a class 1 craft distiller license, shall not manufacture more than 50,000 gallons of spirits per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of spirits per year. A first-class wine-manufacturer shall be permitted to sell wine manufactured at the first-class wine-manufacturer premises to non-licensees.

Class 5. A second class Wine manufacturer may make sales and deliveries of more than 50,000 gallons of wine to manufacturers, importing distributors and distributors and to no other licensees.

Class 6. A first-class wine-maker's license shall allow the manufacture of up to 50,000 gallons of wine per year, and the storage and sale of such wine to distributors in the State and to persons without the State, as may be permitted by law. A person who, prior to June 1, 2008 (the effective date of Public Act 95-634), is a holder of a first-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with Public Act 95-634. If a first-class wine-maker manufactures beer, it shall also obtain and shall only be eligible for, in addition to any current license, a class 1 brewer license, shall not manufacture more than 930,000 gallons of beer per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 930,000 gallons of beer per year. If the first-class wine-maker manufactures spirits, it shall also obtain and shall only be eligible for, in addition to any current license, a class 1 craft distiller license, shall not manufacture more than 50,000 gallons of spirits per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of spirits per year. A first-class wine-maker holding a class 1 brewer license or a class 1 craft distiller license shall not be eligible for a wine-maker's premises license but shall be permitted to sell wine manufactured at the first-class wine-maker premises to non-licensees.

Class 7. A second-class wine-maker's license shall allow the manufacture of up to 150,000 gallons of wine per year, and the storage and sale of such wine to distributors in this State and to persons without the State, as may be permitted by law. A person who, prior to June 1, 2008 (the effective date of Public Act

95-634), is a holder of a second-class wine-maker's license and annually produces more than 25,000 gallons of its own wine and who distributes its wine to licensed retailers shall cease this practice on or before July 1, 2008 in compliance with Public Act 95-634. If a second-class wine-maker manufactures beer, it shall also obtain and shall only be eligible for, in addition to any current license, a class 2 brewer license, shall not manufacture more than 3,720,000 gallons of beer per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year. If a second-class wine-maker manufactures spirits, it shall also obtain and shall only be eligible for, in addition to any current license, a class 2 craft distiller license, shall not manufacture more than 100,000 gallons of spirits per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 100,000 gallons of spirits per year.

Class 8. A limited wine-manufacturer may make sales and deliveries not to exceed 40,000 gallons of wine per year to distributors, and to non-licensees in accordance with the provisions of this Act.

Class 9. A craft distiller license, which may only be held by a class 1 craft distiller licensee or class 2 craft distiller licensee but not held by both a class 1 craft distiller licensee and a class 2 craft distiller licensee, shall grant all rights conveyed by either: (i) a class 1 craft distiller license if the craft distiller holds a class 1 craft distiller license; or (ii) a class 2 craft distiller licensee if the craft distiller holds a class 2 craft distiller license.

Class 10. A class 1 craft distiller license, which may only be issued to a licensed craft distiller or licensed non-resident dealer, shall allow the manufacture of up to 50,000 gallons of spirits per year provided that the class 1 craft distiller licensee does not manufacture more than a combined 50,000 gallons of spirits per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of spirits per year. If a class 1 craft distiller manufactures beer, it shall also obtain and shall only be eligible for, in addition to any current license, a class 1 brewer license, shall not manufacture more than 930,000 gallons of beer per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 930,000 gallons of beer per year. If a class 1 craft distiller manufactures wine, it shall also obtain and shall only be eligible for, in addition to any current license, a first-class wine-manufacturer license or a first-class wine-maker's license, shall not manufacture more than 50,000 gallons of wine per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of wine per year. A class 1 craft distiller licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (19) of subsection (a) of Section 3-12 of this Act. However, the aggregate amount of spirits sold to non-licensees and sold or delivered to retail licensees may not exceed 5,000 gallons per year.

A class 1 craft distiller licensee may sell up to 5,000 gallons of such spirits to non-licensees to the extent permitted by any exemption approved by the State Commission pursuant to Section 6-4 of this Act. A class 1 craft distiller license holder may store such spirits at a non-contiguous licensed location, but at no time shall a class 1 craft distiller license holder directly or indirectly produce in the aggregate more than 50,000 gallons of spirits per year.

A class 1 craft distiller licensee may hold more than one class 1 craft distiller's license. However, a class 1 craft distiller that holds more than one class 1 craft distiller license shall not manufacture, in the aggregate, more than 50,000 gallons of spirits by distillation per year and shall not sell, in the aggregate, more than 5,000 gallons of such spirits to non-licensees in accordance with an exemption approved by the State Commission pursuant to Section 6-4 of this Act.

Class 11. A class 2 craft distiller license, which may only be issued to a licensed craft distiller or licensed non-resident dealer, shall allow the manufacture of up to 100,000 gallons of spirits per year provided that the class 2 craft distiller licensee does not manufacture more than a combined 100,000 gallons of spirits per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 100,000 gallons of spirits per year. If a class 2 craft distiller manufactures beer, it shall also obtain and shall only be eligible for, in addition to any current license, a class 2 brewer license, shall not manufacture more than 3,720,000 gallons of beer per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year. If a class 2 craft distiller manufactures wine, it shall also obtain and shall only be eligible for, in addition to any current license, a second-class wine-maker's license, shall not manufacture more than 150,000 gallons of wine per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 150,000 gallons of wine per year. A class 2 craft distiller licensee may make sales and deliveries to importing distributors and distributors, but shall not make sales or deliveries to any other

licensee. If the State Commission provides prior approval, a class 2 craft distiller licensee may annually transfer up to 100,000 gallons of spirits manufactured by that class 2 craft distiller licensee to the premises of a licensed class 2 craft distiller wholly owned and operated by the same licensee. A class 2 craft distiller may transfer spirits to a distilling pub wholly owned and operated by the class 2 craft distiller subject to the following limitations and restrictions: (i) the transfer shall not annually exceed more than 5,000 gallons; (ii) the annual amount transferred shall reduce the distilling pub's annual permitted production limit; (iii) all spirits transferred shall be subject to Article VIII of this Act; (iv) a written record shall be maintained by the distiller and distilling pub specifying the amount, date of delivery, and receipt of the product by the distilling pub; and (v) the distilling pub shall be located no farther than 80 miles from the class 2 craft distiller's licensed location.

A class 2 craft distiller shall, prior to transferring spirits to a distilling pub wholly owned by the class 2 craft distiller, furnish a written notice to the State Commission of intent to transfer spirits setting forth the name and address of the distilling pub and shall annually submit to the State Commission a verified report identifying the total gallons of spirits transferred to the distilling pub wholly owned by the class 2 craft distiller.

A class 2 craft distiller license holder may store such spirits at a non-contiguous licensed location, but at no time shall a class 2 craft distiller license holder directly or indirectly produce in the aggregate more than 100,000 gallons of spirits per year.

Class 12. A class 1 brewer license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 930,000 gallons of beer per year provided that the class 1 brewer licensee does not manufacture more than a combined 930,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 930,000 gallons of beer per year. If a class 1 brewer manufactures spirits, it shall also obtain and shall only be eligible for, in addition to any current license, a class 1 craft distiller license, shall not manufacture more than 50,000 gallons of spirits per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of spirits per year. If a class 1 craft brewer manufactures wine, it shall also obtain and shall only be eligible for, in addition to any current license, a first-class wine-manufacturer license or a first-class wine-maker's license, shall not manufacture more than 50,000 gallons of wine per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 50,000 gallons of wine per year. A class 1 brewer licensee may make sales and deliveries to importing distributors and distributors and to retail licensees in accordance with the conditions set forth in paragraph (18) of subsection (a) of Section 3-12 of this Act. If the State Commission provides prior approval, a class 1 brewer may annually transfer up to 930,000 gallons of beer manufactured by that class 1 brewer to the premises of a licensed class 1 brewer wholly owned and operated by the same licensee.

Class 13. A class 2 brewer license, which may only be issued to a licensed brewer or licensed non-resident dealer, shall allow the manufacture of up to 3,720,000 gallons of beer per year provided that the class 2 brewer licensee does not manufacture more than a combined 3,720,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year. If a class 2 brewer manufactures spirits, it shall also obtain and shall only be eligible for, in addition to any current license, a class 2 craft distiller license, shall not manufacture more than 100,000 gallons of spirits per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 100,000 gallons of spirits per year. If a class 2 craft distiller manufactures wine, it shall also obtain and shall only be eligible for, in addition to any current license, a second-class wine-maker's license, shall not manufacture more than 150,000 gallons of wine per year, and shall not be a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 150,000 gallons of wine a year. A class 2 brewer licensee may make sales and deliveries to importing distributors and distributors, but shall not make sales or deliveries to any other licensee. If the State Commission provides prior approval, a class 2 brewer licensee may annually transfer up to 3,720,000 gallons of beer manufactured by that class 2 brewer licensee to the premises of a licensed class 2 brewer wholly owned and operated by the same licensee.

A class 2 brewer may transfer beer to a brew pub wholly owned and operated by the class 2 brewer subject to the following limitations and restrictions: (i) the transfer shall not annually exceed more than 31,000 gallons; (ii) the annual amount transferred shall reduce the brew pub's annual permitted production limit; (iii) all beer transferred shall be subject to Article VIII of this Act; (iv) a written record shall be maintained by the brewer and brew pub specifying the amount, date of delivery, and receipt of the product

by the brew pub; and (v) the brew pub shall be located no farther than 80 miles from the class 2 brewer's licensed location.

A class 2 brewer shall, prior to transferring beer to a brew pub wholly owned by the class 2 brewer, furnish a written notice to the State Commission of intent to transfer beer setting forth the name and address of the brew pub and shall annually submit to the State Commission a verified report identifying the total gallons of beer transferred to the brew pub wholly owned by the class 2 brewer.

Class 14. A class 3 brewer license, which may be issued to a brewer or a non-resident dealer, shall allow the manufacture of no more than 465,000 gallons of beer per year and no more than 155,000 gallons at a single brewery premises, and shall allow the sale of no more than 6,200 gallons of beer from each in-state or out-of-state class 3 brewery premises, or 18,600 gallons in the aggregate, to retail licensees, class 1 brewers, class 2 brewers, and class 3 brewers as long as the class 3 brewer licensee does not manufacture more than a combined 465,000 gallons of beer per year and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 465,000 gallons of beer per year to make sales to importing distributors, distributors, retail licensees, brewers, class 1 brewers, class 2 brewers, and class 3 brewers in accordance with the conditions set forth in paragraph (20) of subsection (a) of Section 3-12. If the State Commission provides prior approval, a class 3 brewer may annually transfer up to 155,000 gallons of beer manufactured by that class 3 brewer to the premises of a licensed class 3 brewer wholly owned and operated by the same licensee. A class 3 brewer shall manufacture beer at the brewer's class 3 designated licensed premises, and may sell beer as otherwise provided in this Act.

(a-1) A manufacturer which is licensed in this State to make sales or deliveries of alcoholic liquor to licensed distributors or importing distributors and which enlists agents, representatives, or individuals acting on its behalf who contact licensed retailers on a regular and continual basis in this State must register those agents, representatives, or persons acting on its behalf with the State Commission.

Registration of agents, representatives, or persons acting on behalf of a manufacturer is fulfilled by submitting a form to the Commission. The form shall be developed by the Commission and shall include the name and address of the applicant, the name and address of the manufacturer he or she represents, the territory or areas assigned to sell to or discuss pricing terms of alcoholic liquor, and any other questions deemed appropriate and necessary. All statements in the forms required to be made by law or by rule shall be deemed material, and any person who knowingly misstates any material fact under oath in an application is guilty of a Class B misdemeanor. Fraud, misrepresentation, false statements, misleading statements, evasions, or suppression of material facts in the securing of a registration are grounds for suspension or revocation of the registration. The State Commission shall post a list of registered agents on the Commission's website.

(b) A distributor's license shall allow (i) the wholesale purchase and storage of alcoholic liquors and sale of alcoholic liquors to licensees in this State and to persons without the State, as may be permitted by law; (ii) the sale of beer, cider, mead, or any combination thereof to brewers, class 1 brewers, and class 2 brewers that, pursuant to subsection (e) of Section 6-4 of this Act, sell beer, cider, mead, or any combination thereof to non-licensees at their breweries; (iii) the sale of vermouth to class 1 craft distillers and class 2 craft distillers that, pursuant to subsection (e) of Section 6-4 of this Act, sell spirits, vermouth, or both spirits and vermouth to non-licensees at their distilleries; or (iv) as otherwise provided in this Act. No person licensed as a distributor shall be granted a non-resident dealer's license.

(c) An importing distributor's license may be issued to and held by those only who are duly licensed distributors, upon the filing of an application by a duly licensed distributor, with the Commission and the Commission shall, without the payment of any fee, immediately issue such importing distributor's license to the applicant, which shall allow the importation of alcoholic liquor by the licensee into this State from any point in the United States outside this State, and the purchase of alcoholic liquor in barrels, casks or other bulk containers and the bottling of such alcoholic liquors before resale thereof, but all bottles or containers so filled shall be sealed, labeled, stamped and otherwise made to comply with all provisions, rules and regulations governing manufacturers in the preparation and bottling of alcoholic liquors. The importing distributor's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers and foreign importers only. No person licensed as an importing distributor shall be granted a non-resident dealer's license.

(d) A retailer's license shall allow the licensee to sell and offer for sale at retail, only in the premises specified in the license, alcoholic liquor for use or consumption, but not for resale in any form. Except as provided in Section 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to transfer or ship alcoholic liquor to the purchaser for use or consumption

subject to any applicable local law or ordinance. For the purposes of this Section, "shipping" means the movement of alcoholic liquor from a licensed retailer to a consumer via a common carrier. Except as provided in Section 6-16, 6-29, or 6-29.1 and subject to the delivery requirements of Sections 6-28.9 and 6-28.10, nothing in this Act shall deny, limit, remove, or restrict the ability of a holder of a retailer's license to deliver alcoholic liquor to the purchaser for use or consumption. The delivery shall be made only within 12 hours from the time the alcoholic liquor leaves the licensed premises of the retailer for delivery. For the purposes of this Section, "delivery" means the movement of alcoholic liquor purchased from a licensed retailer to a consumer through the following methods:

(1) delivery within licensed retailer's parking lot, including curbside, for pickup by the consumer;

(2) delivery by an owner, officer, director, shareholder, or employee of the licensed retailer; or

(3) delivery by a third-party retailer delivery licensee ~~contractor, independent contractor, or agent~~ with whom the licensed retailer has contracted to make deliveries of alcoholic liquors.

Under subsection (1), (2), or (3), delivery shall not include the use of common carriers.

Any retail license issued to a manufacturer shall only permit the manufacturer to sell beer at retail on the premises actually occupied by the manufacturer. For the purpose of further describing the type of business conducted at a retail licensed premises, a retailer's licensee may be designated by the State Commission as (i) an on premise consumption retailer, (ii) an off premise sale retailer, or (iii) a combined on premise consumption and off premise sale retailer.

Except for a municipality with a population of more than 1,000,000 inhabitants, a home rule unit may not regulate the delivery of alcoholic liquor inconsistent with this subsection. This paragraph is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State. A non-home rule municipality may not regulate the delivery of alcoholic liquor inconsistent with this subsection.

Notwithstanding any other provision of this subsection (d), a retail licensee may sell alcoholic liquors to a special event retailer licensee for resale to the extent permitted under subsection (e).

(e) A special event retailer's license (not-for-profit) shall permit the licensee to purchase alcoholic liquors from an Illinois licensed distributor (unless the licensee purchases less than $500 of alcoholic liquors for the special event, in which case the licensee may purchase the alcoholic liquors from a licensed retailer) and shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for use or consumption, but not for resale in any form and only at the location and on the specific dates designated for the special event in the license. An applicant for a special event retailer license must (i) furnish with the application: (A) a resale number issued under Section 2c of the Retailers' Occupation Tax Act or evidence that the applicant is registered under Section 2a of the Retailers' Occupation Tax Act, (B) a current, valid exemption identification number issued under Section 1g of the Retailers' Occupation Tax Act, and a certification to the Commission that the purchase of alcoholic liquors will be a tax-exempt purchase, or (C) a statement that the applicant is not registered under Section 2a of the Retailers' Occupation Tax Act, does not hold a resale number under Section 2c of the Retailers' Occupation Tax Act, and does not hold an exemption number under Section 1g of the Retailers' Occupation Tax Act, in which event the Commission shall set forth on the special event retailer's license a statement to that effect; (ii) submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance in the maximum limits; and (iii) show proof satisfactory to the State Commission that the applicant has obtained local authority approval.

Nothing in this Act prohibits an Illinois licensed distributor from offering credit or a refund for unused, salable alcoholic liquors to a holder of a special event retailer's license or the special event retailer's licensee from accepting the credit or refund of alcoholic liquors at the conclusion of the event specified in the license.

(f) A railroad license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on a club, buffet, lounge or dining car operated on an electric, gas or steam railway in this State; and provided further, that railroad licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. A railroad license shall also permit the licensee to sell or dispense alcoholic liquors on any club, buffet, lounge

or dining car operated on an electric, gas or steam railway regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A license shall be obtained for each car in which such sales are made.

(g) A boat license shall allow the sale of alcoholic liquor in individual drinks, on any passenger boat regularly operated as a common carrier on navigable waters in this State or on any riverboat operated under the Illinois Gambling Act, which boat or riverboat maintains a public dining room or restaurant thereon.

(h) A non-beverage user's license shall allow the licensee to purchase alcoholic liquor from a licensed manufacturer or importing distributor, without the imposition of any tax upon the business of such licensed manufacturer or importing distributor as to such alcoholic liquor to be used by such licensee solely for the non-beverage purposes set forth in subsection (a) of Section 8-1 of this Act, and such licenses shall be divided and classified and shall permit the purchase, possession and use of limited and stated quantities of alcoholic liquor as follows:

Class 1, not to exceed ..... 500 gallons
Class 2, not to exceed ..... 1,000 gallons
Class 3, not to exceed ..... 5,000 gallons
Class 4, not to exceed ..... 10,000 gallons
Class 5, not to exceed ..... 50,000 gallons

(i) A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A first-class wine-maker that concurrently holds a class 1 brewer license or a class 1 craft distiller license shall not be eligible to hold a wine-maker's premises license. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer for sale at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any beer, wine, and spirits purchased from a licensed distributor. Upon approval from the State Commission, a wine-maker's premises license shall allow the licensee to sell and offer for sale at (i) the wine-maker's licensed premises and (ii) at up to 2 additional locations for use and consumption and not for resale. Each location shall require additional licensing per location as specified in Section 5-3 of this Act. A wine-maker's premises licensee shall secure liquor liability insurance coverage in an amount at least equal to the maximum liability amounts set forth in subsection (a) of Section 6-21 of this Act.

(j) An airplane license shall permit the licensee to import alcoholic liquors into this State from any point in the United States outside this State and to store such alcoholic liquors in this State; to make wholesale purchases of alcoholic liquors directly from manufacturers, foreign importers, distributors and importing distributors from within or outside this State; and to store such alcoholic liquors in this State; provided that the above powers may be exercised only in connection with the importation, purchase or storage of alcoholic liquors to be sold or dispensed on an airplane; and provided further, that airplane licensees exercising the above powers shall be subject to all provisions of Article VIII of this Act as applied to importing distributors. An airplane licensee shall also permit the sale or dispensing of alcoholic liquors on any passenger airplane regularly operated by a common carrier in this State, but shall not permit the sale for resale of any alcoholic liquors to any licensee within this State. A single airplane license shall be required of an airline company if liquor service is provided on board aircraft in this State. The annual fee for such license shall be as determined in Section 5-3.

(k) A foreign importer's license shall permit such licensee to purchase alcoholic liquor from Illinois licensed non-resident dealers only, and to import alcoholic liquor other than in bulk from any point outside the United States and to sell such alcoholic liquor to Illinois licensed importing distributors and to no one else in Illinois; provided that (i) the foreign importer registers with the State Commission every brand of alcoholic liquor that it proposes to sell to Illinois licensees during the license period, (ii) the foreign importer complies with all of the provisions of Section 6-9 of this Act with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale, and (iii) the foreign importer complies with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers.

(l) (i) A broker's license shall be required of all persons who solicit orders for, offer to sell or offer to supply alcoholic liquor to retailers in the State of Illinois, or who offer to retailers to ship or cause to be shipped or to make contact with distillers, craft distillers, rectifiers, brewers or manufacturers or any other party within or without the State of Illinois in order that alcoholic liquors be shipped to a distributor, importing distributor or foreign importer, whether such solicitation or offer is consummated within or without the State of Illinois.

No holder of a retailer's license issued by the Illinois Liquor Control Commission shall purchase or receive any alcoholic liquor, the order for which was solicited or offered for sale to such retailer by a broker unless the broker is the holder of a valid broker's license.

The broker shall, upon the acceptance by a retailer of the broker's solicitation of an order or offer to sell or supply or deliver or have delivered alcoholic liquors, promptly forward to the Illinois Liquor Control Commission a notification of said transaction in such form as the Commission may by regulations prescribe.

(ii) A broker's license shall be required of a person within this State, other than a retail licensee, who, for a fee or commission, promotes, solicits, or accepts orders for alcoholic liquor, for use or consumption and not for resale, to be shipped from this State and delivered to residents outside of this State by an express company, common carrier, or contract carrier. This Section does not apply to any person who promotes, solicits, or accepts orders for wine as specifically authorized in Section 6-29 of this Act.

A broker's license under this subsection (l) shall not entitle the holder to buy or sell any alcoholic liquors for his own account or to take or deliver title to such alcoholic liquors.

This subsection (l) shall not apply to distributors, employees of distributors, or employees of a manufacturer who has registered the trademark, brand or name of the alcoholic liquor pursuant to Section 6-9 of this Act, and who regularly sells such alcoholic liquor in the State of Illinois only to its registrants thereunder.

Any agent, representative, or person subject to registration pursuant to subsection (a-1) of this Section shall not be eligible to receive a broker's license.

(m) A non-resident dealer's license shall permit such licensee to ship into and warehouse alcoholic liquor into this State from any point outside of this State, and to sell such alcoholic liquor to Illinois licensed foreign importers and importing distributors and to no one else in this State; provided that (i) said non-resident dealer shall register with the Illinois Liquor Control Commission each and every brand of alcoholic liquor which it proposes to sell to Illinois licensees during the license period, (ii) it shall comply with all of the provisions of Section 6-9 hereof with respect to registration of such Illinois licensees as may be granted the right to sell such brands at wholesale by duly filing such registration statement, thereby authorizing the non-resident dealer to proceed to sell such brands at wholesale, and (iii) the non-resident dealer shall comply with the provisions of Sections 6-5 and 6-6 of this Act to the same extent that these provisions apply to manufacturers. No person licensed as a non-resident dealer shall be granted a distributor's or importing distributor's license.

(n) A brew pub license shall allow the licensee to only (i) manufacture up to 155,000 gallons of beer per year only on the premises specified in the license, (ii) make sales of the beer manufactured on the premises or, with the approval of the Commission, beer manufactured on another brew pub licensed premises that is wholly owned and operated by the same licensee to importing distributors, distributors, and to non-licensees for use and consumption, (iii) store the beer upon the premises, (iv) sell and offer for sale at retail from the licensed premises for off-premises consumption no more than 155,000 gallons per year so long as such sales are only made in-person, (v) sell and offer for sale at retail for use and consumption on the premises specified in the license any form of alcoholic liquor purchased from a licensed distributor or importing distributor, (vi) with the prior approval of the Commission, annually transfer no more than 155,000 gallons of beer manufactured on the premises to a licensed brew pub wholly owned and operated by the same licensee, and (vii) notwithstanding item (i) of this subsection, brew pubs wholly owned and operated by the same licensee may combine each location's production limit of 155,000 gallons of beer per year and allocate the aggregate total between the wholly owned, operated, and licensed locations.

A brew pub licensee shall not under any circumstance sell or offer for sale beer manufactured by the brew pub licensee to retail licensees.

A person who holds a class 2 brewer license may simultaneously hold a brew pub license if the class 2 brewer (i) does not, under any circumstance, sell or offer for sale beer manufactured by the class 2 brewer to retail licensees; (ii) does not hold more than 3 brew pub licenses in this State; (iii) does not manufacture more than a combined 3,720,000 gallons of beer per year, including the beer manufactured at the brew pub;

and (iv) is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or any other alcoholic liquor.

Notwithstanding any other provision of this Act, a licensed brewer, class 2 brewer, or non-resident dealer who before July 1, 2015 manufactured less than 3,720,000 gallons of beer per year and held a brew pub license on or before July 1, 2015 may (i) continue to qualify for and hold that brew pub license for the licensed premises and (ii) manufacture more than 3,720,000 gallons of beer per year and continue to qualify for and hold that brew pub license if that brewer, class 2 brewer, or non-resident dealer does not simultaneously hold a class 1 brewer license and is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 3,720,000 gallons of beer per year or that produces any other alcoholic liquor.

A brew pub licensee may apply for a class 3 brewer license and, upon meeting all applicable qualifications of this Act and relinquishing all commonly owned brew pub or retail licenses, shall be issued a class 3 brewer license. Nothing in this Act shall prohibit the issuance of a class 3 brewer license if the applicant:

(1) has a valid retail license on or before May 1, 2021;

(2) has an ownership interest in at least two brew pubs licenses on or before May 1, 2021;

(3) the brew pub licensee applies for a class 3 brewer license on or before October 1, 2022 and relinquishes all commonly owned brew pub licenses; and

(4) relinquishes all commonly owned retail licenses on or before December 31, 2022.

If a brew pub licensee is issued a class 3 brewer license, the class 3 brewer license shall expire on the same date as the existing brew pub license and the State Commission shall not require a class 3 brewer licensee to obtain a brewer license, or in the alternative to pay a fee for a brewer license, until the date the brew pub license of the applicant would have expired.

(o) A caterer retailer license shall allow the holder to serve alcoholic liquors as an incidental part of a food service that serves prepared meals which excludes the serving of snacks as the primary meal, either on or off-site whether licensed or unlicensed. A caterer retailer license shall allow the holder, a distributor, or an importing distributor to transfer any inventory to and from the holder's retail premises and shall allow the holder to purchase alcoholic liquor from a distributor or importing distributor to be delivered directly to an off-site event.

Nothing in this Act prohibits a distributor or importing distributor from offering credit or a refund for unused, salable beer to a holder of a caterer retailer license or a caterer retailer licensee from accepting a credit or refund for unused, salable beer, in the event an act of God is the sole reason an off-site event is cancelled and if: (i) the holder of a caterer retailer license has not transferred alcoholic liquor from its caterer retailer premises to an off-site location; (ii) the distributor or importing distributor offers the credit or refund for the unused, salable beer that it delivered to the off-site premises and not for any unused, salable beer that the distributor or importing distributor delivered to the caterer retailer's premises; and (iii) the unused, salable beer would likely spoil if transferred to the caterer retailer's premises. A caterer retailer license shall allow the holder to transfer any inventory from any off-site location to its caterer retailer premises at the conclusion of an off-site event or engage a distributor or importing distributor to transfer any inventory from any off-site location to its caterer retailer premises at the conclusion of an off-site event, provided that the distributor or importing distributor issues bona fide charges to the caterer retailer licensee for fuel, labor, and delivery and the distributor or importing distributor collects payment from the caterer retailer licensee prior to the distributor or importing distributor transferring inventory to the caterer retailer premises.

For purposes of this subsection (o), an "act of God" means an unforeseeable event, such as a rain or snow storm, hail, a flood, or a similar event, that is the sole cause of the cancellation of an off-site, outdoor event.

(p) An auction liquor license shall allow the licensee to sell and offer for sale at auction wine and spirits for use or consumption, or for resale by an Illinois liquor licensee in accordance with provisions of this Act. An auction liquor license will be issued to a person and it will permit the auction liquor licensee to hold the auction anywhere in the State. An auction liquor license must be obtained for each auction at least 14 days in advance of the auction date.

(q) A special use permit license shall allow an Illinois licensed retailer to transfer a portion of its alcoholic liquor inventory from its retail licensed premises to the premises specified in the license hereby created; to purchase alcoholic liquor from a distributor or importing distributor to be delivered directly to the location specified in the license hereby created; and to sell or offer for sale at retail, only in the premises

specified in the license hereby created, the transferred or delivered alcoholic liquor for use or consumption, but not for resale in any form. A special use permit license may be granted for the following time periods: one day or less; 2 or more days to a maximum of 15 days per location in any 12-month period. An applicant for the special use permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

A special use permit license shall allow the holder to transfer any inventory from the holder's special use premises to its retail premises at the conclusion of the special use event or engage a distributor or importing distributor to transfer any inventory from the holder's special use premises to its retail premises at the conclusion of an off-site event, provided that the distributor or importing distributor issues bona fide charges to the special use permit licensee for fuel, labor, and delivery and the distributor or importing distributor collects payment from the retail licensee prior to the distributor or importing distributor transferring inventory to the retail premises.

Nothing in this Act prohibits a distributor or importing distributor from offering credit or a refund for unused, salable beer to a special use permit licensee or a special use permit licensee from accepting a credit or refund for unused, salable beer at the conclusion of the event specified in the license if: (i) the holder of the special use permit license has not transferred alcoholic liquor from its retail licensed premises to the premises specified in the special use permit license; (ii) the distributor or importing distributor offers the credit or refund for the unused, salable beer that it delivered to the premises specified in the special use permit license and not for any unused, salable beer that the distributor or importing distributor delivered to the retailer's premises; and (iii) the unused, salable beer would likely spoil if transferred to the retailer premises.

(r) A winery shipper's license shall allow a person with a first-class or second-class wine manufacturer's license, a first-class or second-class wine-maker's license, or a limited wine manufacturer's license or who is licensed to make wine under the laws of another state to ship wine made by that licensee directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Prior to receiving a winery shipper's license, an applicant for the license must provide the Commission with a true copy of its current license in any state in which it is licensed as a manufacturer of wine. An applicant for a winery shipper's license must also complete an application form that provides any other information the Commission deems necessary. The application form shall include all addresses from which the applicant for a winery shipper's license intends to ship wine, including the name and address of any third party, except for a common carrier, authorized to ship wine on behalf of the manufacturer. The application form shall include an acknowledgement consenting to the jurisdiction of the Commission, the Illinois Department of Revenue, and the courts of this State concerning the enforcement of this Act and any related laws, rules, and regulations, including authorizing the Department of Revenue and the Commission to conduct audits for the purpose of ensuring compliance with Public Act 95-634, and an acknowledgement that the wine manufacturer is in compliance with Section 6-2 of this Act. Any third party, except for a common carrier, authorized to ship wine on behalf of a first-class or second-class wine manufacturer's licensee, a first-class or second-class wine-maker's licensee, a limited wine manufacturer's licensee, or a person who is licensed to make wine under the laws of another state shall also be disclosed by the winery shipper's licensee, and a copy of the written appointment of the third-party wine provider, except for a common carrier, to the wine manufacturer shall be filed with the State Commission as a supplement to the winery shipper's license application or any renewal thereof. The winery shipper's license holder shall affirm under penalty of perjury, as part of the winery shipper's license application or renewal, that he or she only ships wine, either directly or indirectly through a third-party provider, from the licensee's own production.

Except for a common carrier, a third-party provider shipping wine on behalf of a winery shipper's license holder is the agent of the winery shipper's license holder and, as such, a winery shipper's license holder is responsible for the acts and omissions of the third-party provider acting on behalf of the license holder. A third-party provider, except for a common carrier, that engages in shipping wine into Illinois on behalf of a winery shipper's license holder shall consent to the jurisdiction of the State Commission and the State. Any third-party, except for a common carrier, holding such an appointment shall, by February 1 of each calendar year and upon request by the State Commission or the Department of Revenue, file with the State Commission a statement detailing each shipment made to an Illinois resident. The statement shall include the name and address of the third-party provider filing the statement, the time period covered by the statement, and the following information:

(1) the name, address, and license number of the winery shipper on whose behalf the shipment was made;

(2) the quantity of the products delivered; and

(3) the date and address of the shipment.

If the Department of Revenue or the State Commission requests a statement under this paragraph, the third-party provider must provide that statement no later than 30 days after the request is made. Any books, records, supporting papers, and documents containing information and data relating to a statement under this paragraph shall be kept and preserved for a period of 3 years, unless their destruction sooner is authorized, in writing, by the Director of Revenue, and shall be open and available to inspection by the Director of Revenue or the State Commission or any duly authorized officer, agent, or employee of the State Commission or the Department of Revenue, at all times during business hours of the day. Any person who violates any provision of this paragraph or any rule of the State Commission for the administration and enforcement of the provisions of this paragraph is guilty of a Class C misdemeanor. In case of a continuing violation, each day's continuance thereof shall be a separate and distinct offense.

The State Commission shall adopt rules as soon as practicable to implement the requirements of Public Act 99-904 and shall adopt rules prohibiting any such third-party appointment of a third-party provider, except for a common carrier, that has been deemed by the State Commission to have violated the provisions of this Act with regard to any winery shipper licensee.

A winery shipper licensee must pay to the Department of Revenue the State liquor gallonage tax under Section 8-1 for all wine that is sold by the licensee and shipped to a person in this State. For the purposes of Section 8-1, a winery shipper licensee shall be taxed in the same manner as a manufacturer of wine. A licensee who is not otherwise required to register under the Retailers' Occupation Tax Act must register under the Use Tax Act to collect and remit use tax to the Department of Revenue for all gallons of wine that are sold by the licensee and shipped to persons in this State. If a licensee fails to remit the tax imposed under this Act in accordance with the provisions of Article VIII of this Act, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act. If a licensee fails to properly register and remit tax under the Use Tax Act or the Retailers' Occupation Tax Act for all wine that is sold by the winery shipper and shipped to persons in this State, the winery shipper's license shall be revoked in accordance with the provisions of Article VII of this Act.

A winery shipper licensee must collect, maintain, and submit to the Commission on a semi-annual basis the total number of cases per resident of wine shipped to residents of this State. A winery shipper licensed under this subsection (r) must comply with the requirements of Section 6-29 of this Act.

Pursuant to paragraph (5.1) or (5.3) of subsection (a) of Section 3-12, the State Commission may receive, respond to, and investigate any complaint and impose any of the remedies specified in paragraph (1) of subsection (a) of Section 3-12.

As used in this subsection, "third-party provider" means any entity that provides fulfillment house services, including warehousing, packaging, distribution, order processing, or shipment of wine, but not the sale of wine, on behalf of a licensed winery shipper.

(s) A craft distiller tasting permit license shall allow an Illinois licensed class 1 craft distiller or class 2 craft distiller to transfer a portion of its alcoholic liquor inventory from its class 1 craft distiller or class 2 craft distiller licensed premises to the premises specified in the license hereby created and to conduct a sampling, only in the premises specified in the license hereby created, of the transferred alcoholic liquor in accordance with subsection (c) of Section 6-31 of this Act. The transferred alcoholic liquor may not be sold or resold in any form. An applicant for the craft distiller tasting permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval.

(t) A brewer warehouse permit may be issued to the holder of a class 1 brewer license or a class 2 brewer license. If the holder of the permit is a class 1 brewer licensee, the brewer warehouse permit shall allow the holder to store or warehouse up to 930,000 gallons of tax-determined beer manufactured by the holder of the permit at the premises specified on the permit. If the holder of the permit is a class 2 brewer licensee, the brewer warehouse permit shall allow the holder to store or warehouse up to 3,720,000 gallons of tax-determined beer manufactured by the holder of the permit at the premises specified on the permit. Sales to non-licensees are prohibited at the premises specified in the brewer warehouse permit.

(u) A distilling pub license shall allow the licensee to only (i) manufacture up to 5,000 gallons of spirits per year only on the premises specified in the license, (ii) make sales of the spirits manufactured on the premises or, with the approval of the State Commission, spirits manufactured on another distilling pub

licensed premises that is wholly owned and operated by the same licensee to importing distributors and distributors and to non-licensees for use and consumption, (iii) store the spirits upon the premises, (iv) sell and offer for sale at retail from the licensed premises for off-premises consumption no more than 5,000 gallons per year so long as such sales are only made in-person, (v) sell and offer for sale at retail for use and consumption on the premises specified in the license any form of alcoholic liquor purchased from a licensed distributor or importing distributor, and (vi) with the prior approval of the State Commission, annually transfer no more than 5,000 gallons of spirits manufactured on the premises to a licensed distilling pub wholly owned and operated by the same licensee.

A distilling pub licensee shall not under any circumstance sell or offer for sale spirits manufactured by the distilling pub licensee to retail licensees.

A person who holds a class 2 craft distiller license may simultaneously hold a distilling pub license if the class 2 craft distiller (i) does not, under any circumstance, sell or offer for sale spirits manufactured by the class 2 craft distiller to retail licensees; (ii) does not hold more than 3 distilling pub licenses in this State; (iii) does not manufacture more than a combined 100,000 gallons of spirits per year, including the spirits manufactured at the distilling pub; and (iv) is not a member of or affiliated with, directly or indirectly, a manufacturer that produces more than 100,000 gallons of spirits per year or any other alcoholic liquor.

(v) A craft distiller warehouse permit may be issued to the holder of a class 1 craft distiller or class 2 craft distiller license. The craft distiller warehouse permit shall allow the holder to store or warehouse up to 500,000 gallons of spirits manufactured by the holder of the permit at the premises specified on the permit. Sales to non-licensees are prohibited at the premises specified in the craft distiller warehouse permit.

(w) A beer showcase permit license shall allow an Illinois-licensed distributor to transfer a portion of its beer inventory from its licensed premises to the premises specified in the beer showcase permit license, and, in the case of a class 3 brewer, transfer only beer the class 3 brewer manufactures from its licensed premises to the premises specified in the beer showcase permit license; and to sell or offer for sale at retail, only in the premises specified in the beer showcase permit license, the transferred or delivered beer for on or off premise consumption, but not for resale in any form and to sell to non-licensees not more than 96 fluid ounces of beer per person. A beer showcase permit license may be granted for the following time periods: one day or less; or 2 or more days to a maximum of 15 days per location in any 12-month period. An applicant for a beer showcase permit license must also submit with the application proof satisfactory to the State Commission that the applicant will provide dram shop liability insurance to the maximum limits and have local authority approval. The State Commission shall require the beer showcase applicant to comply with Section 6-27.1.

(x) A third-party retailer delivery license shall authorize a person who is not licensed to sell alcoholic liquor to deliver alcoholic liquor on behalf of a retailer licensee and to deliver alcoholic liquor on behalf of or at the request of an unlicensed purchaser of alcoholic liquor from a retailer licensee, subject to the provisions of Sections 6-28.9 and 6-29.10. A third-party retailer delivery license is not required for an employee or independent contractor of a person holding a third-party retailer delivery license or for an employee of a retailer licensee who is not an independent contractor of a retailer licensee. A third-party retailer delivery licensee; a third-party retailer delivery licensee's officers, owners, and directors; and any person affiliated with the third-party retailer delivery licensee's ownership may not hold a direct or indirect financial or beneficial interest in any other business licensed under this Act, except a State-licensed retailer.

The issuance and regulation of a third-party retailer delivery license is an exclusive power and function of the State. A home rule or non-home rule unit may not issue or regulate a third-party retailer delivery license. This subsection is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19; 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff. 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22; 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

(235 ILCS 5/5-3) (from Ch. 43, par. 118)

Sec. 5-3. License fees. Except as otherwise provided herein, at the time application is made to the State Commission for a license of any class, the applicant shall pay to the State Commission the fee hereinafter provided for the kind of license applied for.

The fee for licenses issued by the State Commission shall be as follows:

	Online renewal	Initial license or

		non-online renewal
For a manufacturer's license:		
Class 1. Distiller	$4,000	$5,000
Class 2. Rectifier	4,000	5,000
Class 3. Brewer	1,200	1,500
Class 4. First-class Wine Manufacturer	750	900
Class 5. Second-class Wine Manufacturer	1,500	1,750
Class 6. First-class wine-maker	750	900
Class 7. Second-class wine-maker	1,500	1,750
Class 8. Limited Wine Manufacturer	250	350
Class 9. Craft Distiller	2,000	2,500
Class 10. Class 1 Craft Distiller	50	75
Class 11. Class 2 Craft Distiller	75	100
Class 12. Class 1 Brewer	50	75
Class 13. Class 2 Brewer	75	100
Class 14. Class 3 Brewer	25	50
For a Brew Pub License	1,200	1,500
For a Distilling Pub License	1,200	1,500
For a caterer retailer's license	350	500
For a foreign importer's license	25	25
For an importing distributor's license	25	25
For a distributor's license (11,250,000 gallons or over)	1,450	2,200
For a distributor's license (over 4,500,000 gallons, but under 11,250,000 gallons)	950	1,450
For a distributor's license (4,500,000 gallons or under)	300	450
For a non-resident dealer's license (500,000 gallons or over) or with self-distribution privileges	1,200	1,500
For a non-resident dealer's license (under 500,000 gallons)	250	350
For a wine-maker's premises license	250	500
For a winery shipper's license (under 250,000 gallons)	200	350
For a winery shipper's license (250,000 or over, but under 500,000 gallons)	750	1,000
For a winery shipper's license (500,000 gallons or over)	1,200	1,500
For a wine-maker's premises license, second location	500	1,000
For a wine-maker's premises license, third location	500	1,000
For a retailer's license	600	750
For a special event retailer's license, (not-for-profit)	25	25

For a beer showcase permit,		
one day only	100	150
2 days or more	150	250
For a special use permit license,		
one day only	100	150
2 days or more	150	250
For a railroad license	100	150
For a boat license	500	1,000
For an airplane license, times the licensee's maximum number of aircraft in flight, serving liquor over the State at any given time, which either originate, terminate, or make an intermediate stop in the State	100	150
For a non-beverage user's license:		
Class 1	24	24
Class 2	60	60
Class 3	120	120
Class 4	240	240
Class 5	600	600
For a broker's license	750	1,000
For an auction liquor license	100	150
For a homebrewer special event permit	25	25
For a craft distiller tasting permit	25	25
For a BASSET trainer license	300	350
For a tasting representative license	200	300
For a brewer warehouse permit	25	25
For a craft distiller warehouse permit	25	25
For a third-party retailer delivery license	1,500	1,750

Fees collected under this Section shall be paid into the Dram Shop Fund. The State Commission shall waive license renewal fees for those retailers' licenses that are designated as "1A" by the State Commission and expire on or after July 1, 2022, and on or before June 30, 2023. One-half of the funds received for a retailer's license shall be paid into the Dram Shop Fund and one-half of the funds received for a retailer's license shall be paid into the General Revenue Fund.

No fee shall be paid for licenses issued by the State Commission to the following non-beverage users:

(a) Hospitals, sanitariums, or clinics when their use of alcoholic liquor is exclusively medicinal, mechanical, or scientific.

(b) Universities, colleges of learning, or schools when their use of alcoholic liquor is exclusively medicinal, mechanical, or scientific.

(c) Laboratories when their use is exclusively for the purpose of scientific research.

(Source: P.A. 102-442, eff. 8-20-21; 102-558, eff. 8-20-21; 102-699, eff. 4-19-22; 102-1142, eff. 2-17-23; 103-154, eff. 6-30-23; revised 9-5-23.)

(235 ILCS 5/6-16) (from Ch. 43, par. 131)

Sec. 6-16. Prohibited sales and possession.

(a) (i) No licensee nor any officer, associate, member, representative, agent, or employee of such licensee shall sell, give, or deliver alcoholic liquor to any person under the age of 21 years or to any intoxicated person, except as provided in Section 6-16.1. (ii) No express company, common carrier, or contract carrier nor any representative, agent, or employee on behalf of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall

knowingly give or knowingly deliver to a residential address any shipping container clearly labeled as containing alcoholic liquor and labeled as requiring signature of an adult of at least 21 years of age to any person in this State under the age of 21 years. An express company, common carrier, or contract carrier that carries or transports such alcoholic liquor for delivery within this State shall obtain a signature at the time of delivery acknowledging receipt of the alcoholic liquor by an adult who is at least 21 years of age. At no time while delivering alcoholic beverages within this State may any representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State deliver the alcoholic liquor to a residential address without the acknowledgment of the consignee and without first obtaining a signature at the time of the delivery by an adult who is at least 21 years of age. A signature of a person on file with the express company, common carrier, or contract carrier does not constitute acknowledgement of the consignee. Any express company, common carrier, or contract carrier that transports alcoholic liquor for delivery within this State that violates this item (ii) of this subsection (a) by delivering alcoholic liquor without the acknowledgement of the consignee and without first obtaining a signature at the time of the delivery by an adult who is at least 21 years of age is guilty of a business offense for which the express company, common carrier, or contract carrier that transports alcoholic liquor within this State shall be fined not more than $1,001 for a first offense, not more than $5,000 for a second offense, and not more than $10,000 for a third or subsequent offense. An express company, common carrier, or contract carrier shall be held vicariously liable for the actions of its representatives, agents, or employees. For purposes of this Act, in addition to other methods authorized by law, an express company, common carrier, or contract carrier shall be considered served with process when a representative, agent, or employee alleged to have violated this Act is personally served. Each shipment of alcoholic liquor delivered in violation of this item (ii) of this subsection (a) constitutes a separate offense. (iii) No person, after purchasing or otherwise obtaining alcoholic liquor, shall sell, give, or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service. Except as otherwise provided in item (ii), any express company, common carrier, or contract carrier that transports alcoholic liquor within this State that violates the provisions of item (i), (ii), or (iii) of this paragraph of this subsection (a) is guilty of a Class A misdemeanor and the sentence shall include, but shall not be limited to, a fine of not less than $500. Any person who violates the provisions of item (iii) of this paragraph of this subsection (a) is guilty of a Class A misdemeanor and the sentence shall include, but shall not be limited to a fine of not less than $500 for a first offense and not less than $2,000 for a second or subsequent offense. Any person who knowingly violates the provisions of item (iii) of this paragraph of this subsection (a) is guilty of a Class 4 felony if a death occurs as the result of the violation.

If a licensee or officer, associate, member, representative, agent, or employee of the licensee, or a representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State, is prosecuted under this paragraph of this subsection (a) for selling, giving, or delivering alcoholic liquor to a person under the age of 21 years, the person under 21 years of age who attempted to buy or receive the alcoholic liquor may be prosecuted pursuant to Section 6-20 of this Act, unless the person under 21 years of age was acting under the authority of a law enforcement agency, the Illinois Liquor Control Commission, or a local liquor control commissioner pursuant to a plan or action to investigate, patrol, or conduct any similar enforcement action.

For the purpose of preventing the violation of this Section, any licensee, or his agent or employee, or a representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State, shall refuse to sell, deliver, or serve alcoholic beverages to any person who is unable to produce adequate written evidence of identity and of the fact that he or she is over the age of 21 years, if requested by the licensee, agent, employee, or representative.

Adequate written evidence of age and identity of the person is a document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. Proof that the defendant-licensee, or his employee or agent, or the representative, agent, or employee of the express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State demanded, was shown and reasonably relied upon such written evidence in any transaction forbidden by this Section is an affirmative defense in any criminal prosecution therefor or to any proceedings for the suspension or revocation of any license based thereon. It shall not, however, be an affirmative defense if the agent or employee accepted the written evidence knowing it to be false or fraudulent. If a false or fraudulent Illinois driver's license or Illinois identification card is presented by a person less than 21 years of age to a licensee

or the licensee's agent or employee for the purpose of ordering, purchasing, attempting to purchase, or otherwise obtaining or attempting to obtain the serving of any alcoholic beverage, the law enforcement officer or agency investigating the incident shall, upon the conviction of the person who presented the fraudulent license or identification, make a report of the matter to the Secretary of State on a form provided by the Secretary of State.

However, no agent or employee of the licensee or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall be disciplined or discharged for selling or furnishing liquor to a person under 21 years of age if the agent or employee demanded and was shown, before furnishing liquor to a person under 21 years of age, adequate written evidence of age and identity of the person issued by a federal, state, county or municipal government, or subdivision or agency thereof, including but not limited to a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, or an identification card issued to a member of the Armed Forces. This paragraph, however, shall not apply if the agent or employee accepted the written evidence knowing it to be false or fraudulent.

Any person who sells, gives, or furnishes to any person under the age of 21 years any false or fraudulent written, printed, or photostatic evidence of the age and identity of such person or who sells, gives or furnishes to any person under the age of 21 years evidence of age and identification of any other person is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than $500.

Any person under the age of 21 years who presents or offers to any licensee, his agent or employee, any written, printed or photostatic evidence of age and identity that is false, fraudulent, or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, who falsely states in writing that he or she is at least 21 years of age when receiving alcoholic liquor from a representative, agent, or employee of an express company, common carrier, or contract carrier, or who has in his or her possession any false or fraudulent written, printed, or photostatic evidence of age and identity, is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, the following: a fine of not less than $500 and at least 25 hours of community service. If possible, any community service shall be performed for an alcohol abuse prevention program.

Any person under the age of 21 years who has any alcoholic beverage in his or her possession on any street or highway or in any public place or in any place open to the public is guilty of a Class A misdemeanor. This Section does not apply to possession by a person under the age of 21 years making a delivery of an alcoholic beverage in pursuance of the order of his or her parent ~~or in pursuance of his or her employment~~.

(a-1) It is unlawful for any parent or guardian to knowingly permit his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used by an invitee of the parent's child or the guardian's ward, if the invitee is under the age of 21, in a manner that constitutes a violation of this Section. A parent or guardian is deemed to have knowingly permitted his or her residence, any other private property under his or her control, or any vehicle, conveyance, or watercraft under his or her control to be used in violation of this Section if he or she knowingly authorizes or permits consumption of alcoholic liquor by underage invitees. Any person who violates this subsection (a-1) is guilty of a Class A misdemeanor and the person's sentence shall include, but shall not be limited to, a fine of not less than $500. Where a violation of this subsection (a-1) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection shall be guilty of a Class 4 felony. Nothing in this subsection (a-1) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

For the purposes of this subsection (a-1) where the residence or other property has an owner and a tenant or lessee, the trier of fact may infer that the residence or other property is occupied only by the tenant or lessee.

(b) Except as otherwise provided in this Section whoever violates this Section shall, in addition to other penalties provided for in this Act, be guilty of a Class A misdemeanor.

(c) Any person shall be guilty of a Class A misdemeanor where he or she knowingly authorizes or permits a residence which he or she occupies to be used by an invitee under 21 years of age and:

(1) the person occupying the residence knows that any such person under the age of 21 is in possession of or is consuming any alcoholic beverage; and

(2) the possession or consumption of the alcohol by the person under 21 is not otherwise permitted by this Act.

For the purposes of this subsection (c) where the residence has an owner and a tenant or lessee, the trier of fact may infer that the residence is occupied only by the tenant or lessee. The sentence of any person who violates this subsection (c) shall include, but shall not be limited to, a fine of not less than $500. Where a violation of this subsection (c) directly or indirectly results in great bodily harm or death to any person, the person violating this subsection (c) shall be guilty of a Class 4 felony. Nothing in this subsection (c) shall be construed to prohibit the giving of alcoholic liquor to a person under the age of 21 years in the performance of a religious ceremony or service in observation of a religious holiday.

A person shall not be in violation of this subsection (c) if (A) he or she requests assistance from the police department or other law enforcement agency to either (i) remove any person who refuses to abide by the person's performance of the duties imposed by this subsection (c) or (ii) terminate the activity because the person has been unable to prevent a person under the age of 21 years from consuming alcohol despite having taken all reasonable steps to do so and (B) this assistance is requested before any other person makes a formal complaint to the police department or other law enforcement agency about the activity.

(d) Any person who rents a hotel or motel room from the proprietor or agent thereof for the purpose of or with the knowledge that such room shall be used for the consumption of alcoholic liquor by persons under the age of 21 years shall be guilty of a Class A misdemeanor.

(e) Except as otherwise provided in this Act, any person who has alcoholic liquor in his or her possession on public school district property on school days or at events on public school district property when children are present is guilty of a petty offense, unless the alcoholic liquor (i) is in the original container with the seal unbroken and is in the possession of a person who is not otherwise legally prohibited from possessing the alcoholic liquor or (ii) is in the possession of a person in or for the performance of a religious service or ceremony authorized by the school board.

(Source: P.A. 97-1049, eff. 1-1-13; 98-1017, eff. 1-1-15.)

(235 ILCS 5/6-27.1)

Sec. 6-27.1. Responsible alcohol service server training.

(a) Unless issued a valid server training certificate between July 1, 2012 and July 1, 2015 by a certified Beverage Alcohol Sellers and Servers Education and Training (BASSET) trainer, all alcohol servers in Cook County are required to obtain and complete training in basic responsible alcohol service as outlined in 77 Ill. Adm. Code 3500, as those provisions exist on July 1, 2015 (the effective date of Public Act 98-939), by July 1, 2015 or within 120 days after the alcohol server begins his or her employment, whichever is later. All alcohol servers in a county, other than Cook County, with a population of 200,000 inhabitants or more are required to obtain and complete training in basic responsible alcohol service as outlined in 77 Ill. Adm. Code 3500, as those provisions exist on July 1, 2015 (the effective date of Public Act 98-939), by July 1, 2016 or within 120 days after the alcohol server begins his or her employment, whichever is later. All alcohol servers in a county with a population of more than 30,000 inhabitants and less than 200,000 inhabitants are required to obtain and complete training in basic responsible alcohol service as outlined in 77 Ill. Adm. Code 3500, as those provisions exist on July 1, 2015 (the effective date of Public Act 98-939), by July 1, 2017 or within 120 days after the alcohol server begins his or her employment, whichever is later. All alcohol servers in counties with a population of 30,000 inhabitants or less are required to obtain and complete training in basic responsible alcohol service as outlined in 77 Ill. Adm. Code 3500, as those provisions exist on July 1, 2015 (the effective date of Public Act 98-939), by July 1, 2018 or within 120 days after the alcohol server begins his or her employment, whichever is later.

There is no limit to the amount of times a server may take the training. A certificate of training belongs to the server, and a server may transfer a certificate of training to a different employer, but shall not transfer a certificate of training to another server. Proof that an alcohol server has been trained must be available upon reasonable request by State law enforcement officials. For the purpose of this Section, "alcohol servers" means persons who sell or serve open containers of alcoholic beverages at retail, anyone who delivers alcoholic liquor on behalf of a third-party retailer delivery licensee, anyone who delivers mixed drinks under Section 6-28.8, and anyone whose job description entails the checking of identification for the purchase of open containers of alcoholic beverages at retail or for entry into the licensed premises. The definition does not include (i) a distributor or importing distributor conducting product sampling as authorized in Section 6-31 of this Act or a registered tasting representative, as provided in 11 Ill. Adm. Code 100.40, conducting a tasting, as defined in 11 Ill. Adm. Code 100.10; (ii) a volunteer serving alcoholic

beverages at a charitable function; or (iii) an instructor engaged in training or educating on the proper technique for using a system that dispenses alcoholic beverages.

(b) Responsible alcohol service training must cover and assess knowledge of the topics noted in 77 Ill. Adm. Code 3500.155.

(c) Beginning on the effective date of this amendatory Act of the 98th General Assembly, but no later than October 1, 2015, all existing BASSET trainers who are already BASSET certified as of the effective date of this amendatory Act of the 98th General Assembly shall be recertified by the State Commission and be required to comply with the conditions for server training set forth in this amendatory Act of the 98th General Assembly.

(d) Training modules and certificate program plans must be approved by the State Commission. All documents, materials, or information related to responsible alcohol service training program approval that are submitted to the State Commission are confidential and shall not be open to public inspection or dissemination and are exempt from disclosure.

The State Commission shall only approve programs that meet the following criteria:

(1) the training course covers the content specified in 77 Ill. Adm. Code 3500.155;

(2) if the training course is classroom-based, the classroom training is at least 4 hours, is available in English and Spanish, and includes a test;

(3) if the training course is online or computer-based, the course is designed in a way that ensures that no content can be skipped, is interactive, has audio for content for servers that have a disability, and includes a test;

(4) training and testing is based on a job task analysis that clearly identifies and focuses on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and is developed using best practices in instructional design and exam development to ensure that the program is fair and legally defensible;

(5) training and testing is conducted by any means available, including, but not limited to, online, computer, classroom, or live trainers; and

(6) the program must provide access on a 24-hour-per-day, 7-days-per-week basis for certificate verification for State Commission, State law enforcement officials, and employers to be able to verify certificate authenticity.

(e) Nothing in subsection (d) of this Section shall be construed to require a program to use a test administrator or proctor.

(f) A certificate issued from a BASSET-licensed training program shall be accepted as meeting the training requirements for all server license and permit laws and ordinances in the State.

(g) A responsible alcohol service training certificate from a BASSET-licensed program shall be valid for 3 years.

(h) The provisions of this Section shall apply beginning July 1, 2015. From July 1, 2015 through December 31, 2015, enforcement of the provisions of this Section shall be limited to education and notification of the requirements to encourage compliance.

(i) The provisions of this Section do not apply to a special event retailer.

(Source: P.A. 101-631, eff. 6-2-20.)

(235 ILCS 5/6-28.8)

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

Sec. 6-28.8. Delivery and carry out of mixed drinks permitted.

(a) In this Section:

"Cocktail" or "mixed drink" means any beverage obtained by combining ingredients alcoholic in nature, whether brewed, fermented, or distilled, with ingredients non-alcoholic in nature, such as fruit juice, lemonade, cream, or a carbonated beverage.

"Original container" means, for the purposes of this Section only, a container that is ~~(i)~~ filled, sealed, and secured by a retail licensee's employee at the retail licensee's location with a tamper-evident lid or cap ~~or (ii) filled and labeled by the manufacturer and secured by the manufacturer's original unbroken seal~~.

"Sealed container" means a rigid container that contains a mixed drink or a single serving of wine, is new, has never been used, has a secured lid or cap designed to prevent consumption without removal of the lid or cap, and is tamper-evident. ~~"Sealed container" includes a manufacturer's original container as defined in this subsection.~~ "Sealed container" does not include a container with a lid with sipping holes or openings for straws or a container made of plastic, paper, or polystyrene foam.

"Tamper-evident" means a lid or cap that has been sealed with tamper-evident covers, including, but not limited to, wax dip or heat shrink wrap.

(b) A cocktail, mixed drink, or single serving of wine placed in a sealed container by a retail licensee at the retail licensee's location ~~or a manufacturer's original container~~ may be transferred and sold for off-premises consumption if the following requirements are met:

(1) the cocktail, mixed drink, or single serving of wine is transferred within the licensed premises, by a curbside pickup, or by delivery by an employee of the retail licensee who:

(A) has been trained in accordance with Section 6-27.1 at the time of the sale;

(B) is at least 21 years of age; and

(C) upon delivery, verifies the age of the person to whom the cocktail, mixed drink, or single serving of wine is being delivered by obtaining a signature from a recipient aged 21 or over;

(2) if the employee delivering the cocktail, mixed drink, or single serving of wine is not able to safely verify a person's age or level of intoxication upon delivery or is otherwise not able to complete the delivery, the employee shall cancel the sale of alcohol and return the product to the retail license holder;

(3) the sealed container is placed in the trunk of the vehicle or if there is no trunk, in the vehicle's rear compartment that is not readily accessible to the passenger area;

(4) ~~except for a manufacturer's original container,~~ a container filled and sealed at a retail licensee's location shall be affixed with a label or tag that contains the following information:

(A) the cocktail or mixed drink ingredients, type, and name of the alcohol;

(B) the name, license number, and address of the retail licensee that filled the original container and sold the product;

(C) the volume of the cocktail, mixed drink, or single serving of wine in the sealed container; and

(D) the sealed container was filled less than 7 days before the date of sale.~~; and~~

~~(5) a manufacturer's original container shall be affixed with a label or tag that contains the name, license number, and address of the retail licensee that sold the product.~~

(c) Third-party retailer delivery licensees ~~delivery services~~ are not permitted to deliver cocktails and mixed drinks under this Section.

(d) If there is an executive order of the Governor in effect during a disaster, the employee delivering the mixed drink, cocktail, or single serving of wine must comply with any requirements of that executive order, including, but not limited to, wearing gloves and a mask and maintaining distancing requirements when interacting with the public.

(e) Delivery or carry out of a cocktail, mixed drink, or single serving of wine is prohibited if:

(1) a third party delivers the cocktail or mixed drink;

(2) a container of a mixed drink, cocktail, or single serving of wine is not tamper-evident and sealed;

(3) a container of a mixed drink, cocktail, or single serving of wine is transported in the passenger area of a vehicle;

(4) a mixed drink, cocktail, or single serving of wine is delivered by a person or to a person who is under the age of 21; or

(5) the person delivering a mixed drink, cocktail, or single serving of wine fails to verify the age of the person to whom the mixed drink or cocktail is being delivered.

(f) Violations of this Section shall be subject to any applicable penalties, including, but not limited to, the penalties specified under Section 11-502 of the Illinois Vehicle Code.

(f-5) ~~This Section is not intended to prohibit or preempt the ability of a brew pub, tap room, or distilling pub to continue to temporarily deliver alcoholic liquor pursuant to guidance issued by the State Commission on March 19, 2020 entitled "Illinois Liquor Control Commission, COVID-19 Related Actions, Guidance on Temporary Delivery of Alcoholic Liquor".~~ This Section shall only grant authorization to holders of State of Illinois retail liquor licenses but not to licensees that simultaneously hold any licensure or privilege to manufacture alcoholic liquors within or outside of the State of Illinois.

(g) This Section is not a denial or limitation of home rule powers and functions under Section 6 of Article VII of the Illinois Constitution.

(h) This Section is repealed on August 1, 2028.

(Source: P.A. 102-8, eff. 6-2-21; 103-4, eff. 5-31-23.)

(235 ILCS 5/6-28.9 new)

Sec. 6-28.9. Third-party retailer delivery licensee requirements.

(a) A person who is not licensed as a retailer under this Act shall not deliver alcoholic liquor unless that person holds a third-party retailer delivery license. A third-party retailer delivery license is not required for deliveries made directly by a retailer licensee, including by an employee of a retailer licensee. This Section does not authorize a third-party retailer delivery licensee or any other person to deliver alcoholic liquor on behalf of or from any non-retailer liquor license holder, including, but not limited to, license holders with the privilege to manufacture alcoholic liquors within or outside of the State, or from any other person outside the State of Illinois. A person qualifies for a third-party retailer delivery license if the person is not prohibited from licensure under Section 6-2.

(b) A third-party retailer delivery licensee shall make deliveries of alcoholic liquor in accordance with the following conditions:

(1) All alcoholic liquor deliveries pursuant to this Section shall be for alcoholic liquor sold not for resale by retailer licensees authorized to sell alcoholic liquor for off-premises consumption under subsection (d) of Section 5-1. Third-party retailer delivery licensees shall not deliver alcoholic liquor on behalf of retailer licensees authorized to sell alcoholic liquor for on-premises consumption only.

(2) All alcoholic liquor deliveries pursuant to this Section shall be for alcoholic liquor in the original package. Alcoholic liquor sold pursuant to Section 6-28.8 may not be delivered by a third-party retailer delivery licensee.

(3) A third-party retailer delivery licensee may charge a consumer a reasonable delivery fee similar to delivery fees for non-alcoholic liquor products but shall not charge any fee calculated as a percentage of alcoholic liquor sales.

(4) A third-party retailer delivery licensee shall conduct a background check of all employees and contractors that deliver alcoholic liquor on its behalf. A third-party retailer delivery licensee may not employ or contract with a person if that person would be prohibited from licensure under Section 6-2.

(5) A third-party retailer delivery licensee shall maintain a general liability insurance policy with a liquor liability addendum for the minimum coverage required by this Act. A third-party retailer delivery licensee is liable for any sales and deliveries of alcoholic liquor by its delivery agents to intoxicated persons or persons under the age of 21.

(6) A third-party retailer delivery licensee is subject to the provisions of Section 6-5 of this Act and shall not receive anything of value from a licensed manufacturer, non-resident dealer, distributor, importing distributor, or foreign importer, including, but not limited to, revenue for any advertisement or website placement of alcoholic liquor products on a third-party retailer delivery licensee website or online application.

(7) A third-party retailer delivery licensee shall not resell alcoholic liquor nor shall a third-party retailer delivery licensee deliver alcoholic liquor to a location licensed to sell alcoholic liquor, except for private use at locations licensed as a hotel, as defined in Section 1-3.25, or other similar accommodations.

(8) If the third-party retailer delivery licensee advertises the price of alcoholic liquor, then the price advertised shall be identical to the price charged by the retailer licensee. All alcoholic liquor products offered by a retailer licensee shall be offered by the third-party retailer delivery licensee.

(9) The third-party retailer delivery licensee may receive orders and accept payments through a website or through a mobile application or similar technology if the payments for alcoholic liquor are immediately directed to an account owned and controlled by the retailer licensee and the website or similar application identifies the name and address of the retailer licensee prior to completion of the sale.

(10) The third-party retailer delivery licensee shall maintain a record of all deliveries of alcoholic liquor for a period of 3 years from the date of delivery and shall make such records available to the State Commission within a reasonable time upon request. The record of each delivery shall include the following:

(A) The name and address of the retailer licensee from which the alcoholic liquor was purchased.

(B) The name, date of birth, address, and signature of the recipient of the alcoholic liquor.

(C) The name of the delivery agent making the delivery and the date, time, and address of the delivery.

(D) The type, brand, and quantity of each alcoholic liquor delivered.

(E) An itemization of the alcoholic liquor products sold and the price of each alcoholic liquor item.

(11) A retailer licensee shall accept or reject all orders placed for alcoholic liquor through the third-party retailer delivery licensee and determine the price at which alcoholic liquor products are offered for sale by the retailer licensee and delivered by the third-party retailer delivery licensee.

(12) A retailer licensee may enter into a contract with a third-party retailer delivery licensee for a fixed fee for services, but the fee shall not be based on a percentage of the total receipts of alcoholic liquor sales. All contracts between the retailer licensee and a third-party retailer delivery licensee shall be provided by the retailer licensee or third-party retailer delivery licensee upon the request of the State Commission.

(13) Subject to the review of the State Commission, a third-party retailer delivery licensee shall use updated identification scanning or similar technology for the purpose of verifying the age and likeness of the presenter.

(235 ILCS 5/6-28.10 new)

Sec. 6-28.10. Alcoholic liquor delivery requirements.

(a) For deliveries pursuant to subsection (d) of Section 5-1 and Section 6-28.9, a retailer licensee and third-party retailer delivery licensee shall:

(1) conduct deliveries by a person 21 years of age or over holding a valid Beverage Alcohol Sellers and Servers Education Training (BASSET) certificate issued pursuant to Section 6-27.1 of this Act. A third-party retailer delivery licensee or a retailer engaged in the delivery of alcoholic liquor may request a waiver of the BASSET requirement for third-party retailer delivery licensee contract deliverers or retailer employee deliverers if the third-party retailer delivery licensee or retailer provides proof of its training module or program demonstrating to the satisfaction of the State Commission that such training module or program satisfies BASSET principles, such as underage or intoxicated person access prevention;

(2) examine the data and the photograph on the identification of the recipient and obtain the signature from the recipient to verify the recipient is 21 years of age or older. The data and the photograph of the recipient shall demonstrate a reasonable likeness of the recipient;

(3) unless the contents of the delivery are prepared and packaged by an agent of the third-party delivery licensee, include a statement clearly visible on the outside of the packaging that the delivery contains alcoholic liquor not to be provided to any person under the age of 21;

(4) fulfill the delivery order from the retailer licensee's location nearest to the address of the recipient;

(5) require the return of deliveries to the retailer licensee's location from which the alcoholic liquor is purchased if a delivery was attempted to an unqualified recipient, delivery was attempted to a recipient who refused delivery, or a delivery was unable to be completed for any other reason. An unqualified recipient of an alcoholic liquor delivery includes circumstances in which:

(A) there is reason to doubt the authenticity or correctness of the recipient's identification;

(B) the recipient refuses to sign for the receipt of the delivery;

(C) the recipient is unable to produce valid identification; or

(D) the recipient exhibits signs of intoxication; and

(6) refuse to deliver alcoholic liquor to any elementary school, secondary school, public playground, or public park.

(b) Except for reasonable compensation provided to a delivery person pursuant to customary delivery practices, a retailer licensee or third-party retailer delivery licensee shall not compensate delivery personnel on the basis of a completed delivery but may compensate a delivery driver for a return of undeliverable alcoholic liquor.".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Feigenholtz, **Senate Bill No. 3617** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3617

AMENDMENT NO. 1 . Amend Senate Bill 3617 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Revenue Law of the Civil Administrative Code of Illinois is amended by adding Section 2505-430 as follows:

(20 ILCS 2505/2505-430 new)

Sec. 2505-430. Financial institution data matching.

(a) Definitions. As used in this Section:

"Account" means a demand deposit account, checking or negotiable withdrawal order account, savings account, time deposit account, or money market mutual fund account.

"Financial institution" means:

(1) a depository institution, which is any bank or saving association;

(2) an insured depository institution, which is any bank or saving institution the deposits of which are insured pursuant to the Federal Deposit Insurance Act, or any uninsured branch or agency of a foreign bank or a commercial lending company owned or controlled by a foreign bank;

(3) a federal depository institution, which is any national bank, any federal savings association, or any federal branch;

(4) a state depository institution, which is any state bank, any state savings association, or any insured branch that is not a federal branch;

(5) a federal credit union, which is a cooperative association organized in accordance with the provisions of the Federal Credit Union Act;

(6) a state-chartered credit union that is organized and operated according to the laws of this or any other state, which laws provide for the organization of credit unions similar in principle and objectives to federal credit unions; and

(7) any benefit association, insurance company, safe deposit company, money market mutual fund, or similar entity authorized to do business in this State.

"Financial record" has the meaning given to that term in Section 3401 of the federal Right to Financial Privacy Act of 1978.

(b) The Department may design and implement a data match system pursuant to which the Department and financial institutions doing business in this State may enter into agreements for the purpose of identifying accounts of taxpayers who are delinquent in the payment of a tax collected by the Department. No financial institution shall be required to enter into any such agreement with the Department.

Any agreement entered into with a financial institution under this Section shall provide, at the option of the financial institution, either (i) that the financial institution shall compare the data of account holders, owners, or customers who maintain one or more accounts at the financial institution with data of individuals and business entities who are identified by the Department as delinquent taxpayers and whose name, record address, and social security number or tax identification number are provided by the Department to the financial institution or (ii) that the financial institution shall provide to the Department the social security numbers or tax identification numbers of the account holders, owners, or customers who maintain one or more accounts at the financial institution, and the Department shall compare that data with data of individuals and business entities who are identified by the Department as delinquent taxpayers.

If the financial institution or the Department determines that the name and social security number or tax identification number of an individual or business entity identified by the Department as a delinquent taxpayer matches the name and social security number or tax identification number of an account holder, owner, or customer who maintains one or more accounts at the financial institution, then the financial institution shall report the individual's or business entity's name and either social security number or tax identification number to the Department for each calendar quarter in which the Department notifies the financial institution that the individual or business entity is a delinquent taxpayer.

(c) The reporting requirements of subsection (b) of this Section apply to personal (both individual and joint) and business accounts, including sole proprietorship accounts. In the case of a joint account, the account holder or owner shall be deemed to be the primary account holder or owner established by the financial institution in accordance with federal 1099 reporting requirements.

(d) The Department shall make a reasonable effort to accommodate those financial institutions on which the requirements of this Section would impose a hardship. In the case of a non-automated financial institution, a paper copy including either social security numbers or tax identification numbers is an acceptable format. In order to allow for data processing implementation, no agreement shall become effective earlier than 90 days after its execution.

(e) All information provided by a financial institution under this Section is confidential and may be used only for the purpose of enforcing payment of delinquent taxes.

(f) A financial institution that provides information under this Section shall not be liable to any account holder, owner, or other person in any civil, criminal, or administrative action for any of the following:

(1) disclosing the required information to the Department, any other provisions of law notwithstanding;

(2) holding, encumbering, or surrendering any of an individual's accounts as defined in subsection (a) of this Section in response to a lien or order to withhold and deliver issued by the Department; or

(3) any other action taken or omission made in good faith to comply with this Section, including individual or mechanical errors, provided that the action or omission does not constitute gross negligence or willful misconduct.

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

Senator Feigenholtz offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO SENATE BILL 3617

AMENDMENT NO. 2 . Amend Senate Bill 3617, AS AMENDED, with reference to page and line numbers of Senate Amendment No. 1, on page 3, line 6, after "Department.", by inserting "Nothing in this Section shall be interpreted as requiring a financial institution to enter into an agreement with the Department or as requiring a financial institution to change its current practice of cooperating with the Department's requests on a case-by-case basis."; and

on page 3, by replacing lines 8 and 9 with the following:
"under this Section shall provide that the financial"; and

on page 3, by replacing lines 16 through 23 with the following:,
"Department to the financial institution."; and

on page 4, by replacing line 16 with the following:
"the financial institution's internal procedures."; and

on page 5, immediately below line 16, by inserting the following:
"(g) Each agreement under this Section shall provide that the Department shall pay to the financial institution providing or comparing the data a reasonable fee not to exceed the institution's actual cost of providing the data or performing the comparison.".

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the foregoing Amendments Numbered 1 and 2 were ordered engrossed, and the bill, as amended, was ordered to a third reading.

On motion of Senator Castro, **Senate Bill No. 3732** having been printed, was taken up, read by title a second time.

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

AMENDMENT NO. 1 TO SENATE BILL 3732

AMENDMENT NO. 1 . Amend Senate Bill 3732 on page 3, line 18, by replacing "2024" with "2026".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Villanueva, **Senate Bill No. 3806** having been printed, was taken up, read by title a second time.

Senator Villanueva offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 3806

AMENDMENT NO. 1 . Amend Senate Bill 3806 by replacing everything after the enacting clause with the following:

"Section 5. The Film Production Services Tax Credit Act of 2008 is amended by changing Section 46 as follows:

(35 ILCS 16/46)

Sec. 46. Illinois Production Workforce Development Fund.

(a) The Illinois Production Workforce Development Fund is created as a special fund in the State Treasury. Beginning July 1, 2023 ~~July 1, 2022~~, amounts paid to the Department of Commerce and Economic Opportunity pursuant to Section 213 of the Illinois Income Tax Act shall be deposited into the Fund. The Fund shall be used exclusively to provide grants to community-based organizations, labor organizations, private and public universities, community colleges, and other organizations and institutions that may be deemed appropriate by the Department to administer workforce training programs that support efforts to recruit, hire, promote, retain, develop, and train a diverse and inclusive workforce in the film industry.

(b) Pursuant to Section 213 of the Illinois Income Tax Act, the Fund shall receive deposits in amounts not to exceed 0.25% of the amount of each credit certificate issued that is not calculated on out-of-state wages and transferred ~~or claimed on an Illinois tax return in the quarter such credit was transferred or claimed~~. In addition, such amount shall also include 2.5% of the credit amount calculated on wages paid to nonresidents that is transferred ~~or claimed on an Illinois tax return in the quarter such credit was transferred or claimed~~.

(c) At the request of the Department, the State Comptroller and the State Treasurer may advance amounts to the Fund on an annual basis not to exceed $1,000,000 in any fiscal year. The fund from which the moneys are advanced shall be reimbursed in the same fiscal year for any such advance payments as described in this Section. The method of reimbursement shall be set forth in rules.

(d) Of the appropriated funds in a given fiscal year, 50% of the appropriated funds shall be reserved for organizations that meet one of the following criteria. The organization is: (1) a minority-owned business, as defined by the Business Enterprise for Minorities, Women, and Persons with Disabilities Act; (2) located in an underserved area, as defined by the Economic Development for a Growing Economy Tax Credit Act; or (3) on an annual basis, training a cohort of program participants where at least 50% of the program participants are either a minority person, as defined by the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, or reside in an underserved area, as defined by the Economic Development for a Growing Economy Tax Credit Act.

(e) The Illinois Production Workforce Development Fund shall be administered by the Department. The Department may adopt rules necessary to administer the provisions of this Section.

(f) Notwithstanding any other law to the contrary, the Illinois Production Workforce Development Fund is not subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from the Illinois Production Workforce Development Fund.

(g) By June 30 of each fiscal year, the Department must submit to the General Assembly a report that includes the following information: (1) an identification of the organizations and institutions that received funding to administer workforce training programs during the fiscal year; (2) the number of total persons trained and the number of persons trained per workforce training program in the fiscal year; and (3) in the

aggregate, per organization, the number of persons identified as a minority person or that reside in an underserved area that received training in the fiscal year.
(Source: P.A. 102-700, eff. 4-19-22.)".

The motion prevailed.

And the amendment was adopted and ordered printed.

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

LEGISLATIVE MEASURES FILED

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

Amendment No. 2 to Senate Bill 536
Amendment No. 1 to Senate Bill 951
Amendment No. 1 to Senate Bill 961
Amendment No. 1 to Senate Bill 1161
Amendment No. 1 to Senate Bill 1173
Amendment No. 2 to Senate Bill 1176
Amendment No. 2 to Senate Bill 3331

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

Amendment No. 1 to Senate Bill 2804
Amendment No. 2 to Senate Bill 3305

At the hour of 6:18 o'clock p.m., the Chair announced that the Senate stands adjourned until Friday, April 12, 2024, at 9:00 o'clock a.m.