



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**ONE HUNDRED SECOND GENERAL  
ASSEMBLY**

**81ST LEGISLATIVE DAY**

**THURSDAY, FEBRUARY 10, 2022**

**12:04 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**81st Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Bill Cunningham, Chicago, Illinois, presiding.  
Silent prayer was observed by all members of the Senate.  
Senator Johnson led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, February 9, 2022, be postponed, pending arrival of the printed Journal.  
The motion prevailed.

### LEGISLATIVE MEASURES FILED

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

Amendment No. 1 to Senate Bill 3609

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 3095  
Amendment No. 1 to Senate Bill 3105  
Amendment No. 1 to Senate Bill 3884  
Amendment No. 2 to Senate Bill 3884

### COMMUNICATION FROM THE MINORITY LEADER

#### ILLINOIS STATE SENATE

**DISTRICT OFFICE:**  
795 Ela Rd, Suite 208  
Lake Zurich, IL 60047  
(224) 662-4544

**CAPITOL OFFICE:**  
309G State Capitol  
Springfield, IL 62706  
(217) 782-8010

**Dan McConchie**  
SENATE REPUBLICAN LEADER · 26TH DISTRICT

February 10, 2022

Mr. Tim Anderson  
Secretary of the Senate  
Illinois State Senate  
401 Capitol Building  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Senate Rule 3-2(c), I do hereby appoint Senator Sally Turner to temporarily replace Senator Don DeWitte as a member of the Senate Appropriations Revenue and Finance Committee. This Appointment will occur for the meeting dates; February 10, 2022. This appointment will automatically expire at the end of business on February 10, 2022.

Sincerely,  
s/Dan McConchie  
Dan McConchie  
Senate Republican Leader

[February 10, 2022]

State Senator 26th District

Cc: Senate President Don Harmon  
Senator Laura Ellman  
Senator Sally Turner  
Assistant Secretary of the Senate Scott Kaiser

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SENATE REPUBLICAN LEADER · 26TH DISTRICT

February 10, 2022

Mr. Tim Anderson  
Secretary of the Senate  
Illinois State Senate  
401 Capitol Building  
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to Senate Rule 3-2(c), I do hereby appoint Senator Jason Plummer to temporarily replace Senator Win Stoller as a member of the Senate Appropriations State Law Enforcement Committee. This Appointment will occur for the meeting dates; February 14, 2022. This appointment will automatically expire at the end of business on February 14, 2022.

Sincerely,  
s/Dan McConchie  
Dan McConchie  
Senate Republican Leader  
State Senator 26th District

Cc: Senate President Don Harmon  
Senate Assistant Majority Leader Antonio Munoz  
Senator Jason Plummer  
Assistant Secretary of the Senate Scott Kaiser

**PRESENTATION OF RESOLUTIONS**

**SENATE RESOLUTION NO. 823**

Offered by Senator McClure and all Senators:  
Mourns the death of Ronald D. Ladley.

**SENATE RESOLUTION NO. 824**

Offered by Senator McClure and all Senators:  
Mourns the passing of Vernon LeRoy "Vern" Lytle of Pawnee.

**SENATE RESOLUTION NO. 825**

Offered by Senator Anderson and all Senators:

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Mourns the passing of Eugene Everard "Gene" Welch of Rock Island.

**SENATE RESOLUTION NO. 826**

Offered by Senator Anderson and all Senators:

Mourns the death of Gregory D. Vogelsang of Rock Island.

**SENATE RESOLUTION NO. 827**

Offered by Senator Bennett and all Senators:

Mourns the death of Clarence Shelley of Champaign.

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

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

**SENATE JOINT RESOLUTION NO. 47**

WHEREAS, Every child deserves a safe and stable place to call home; and

WHEREAS, Many children across the State experience abuse or neglect from their homes; and

WHEREAS, The protection of children from physical, emotional, and sexual abuse, exploitation, and neglect is at the core of the duties and fundamental responsibilities of the State; and

WHEREAS, Children's Advocacy Centers (CACs) and Court Appointed Special Advocates for Children (CASAs) are essential to providing formal, comprehensive, integrated, and multifaceted approaches to cases of child abuse and neglect; and

WHEREAS, It is important that each CAC and CASA receive the funding they need to properly respond to cases of child abuse and neglect; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Task Force on Children Advocacy Centers and Court Appointed Special Advocates for Children Funding is created to ensure that each CAC and CASA facility receives adequate funding to respond to the number and severity of child abuse and neglect cases in their respective jurisdictions; and be it further

RESOLVED, That the Task Force shall be comprised of the following 16 members, who shall serve without compensation:

- (1) One member of the Illinois Senate appointed by the Senate President;
- (2) One member of the Illinois Senate appointed by the Senate Minority Leader;
- (3) One member of the Illinois House of Representatives appointed by the Speaker of the House;
- (4) One member of the Illinois House of Representatives appointed by the House Minority Leader;
- (5) The Illinois Attorney General or his or her designee;
- (6) The Executive Director of the Illinois Office of Management and Budget or his or her designee;
- (7) The Director of the Department of Children and Family Services or his or her designee;
- (8) The Executive Director of The Children's Advocacy Centers of Illinois or his or her designee;
- (9) The Executive Director of the Illinois Association of Court Appointed Special Advocates or his or her designee;
- (10) The Executive Director of the Illinois Criminal Justice Information Authority or his or her designee;

(11) The Executive Director of an urban, accredited Children's Advocacy Center, appointed by the Senate President;

(12) The Executive Director of a suburban, accredited Children's Advocacy Center, appointed by the Senate President;

(13) The Executive Director of a rural, accredited Children's Advocacy Center, appointed by the Senate President;

(14) The Executive Director of an urban county Court Appointed Special Advocates Center, appointed by the Senate President;

(15) The Executive Director of a suburban county Court Appointed Special Advocates Center, appointed by the Senate President; and

(16) The Executive Director of a rural county Court Appointed Special Advocates Center, appointed by Illinois Senate President; and be it further

RESOLVED, That the Senate President shall designate a Chair and Vice-Chair from among the Task Force members; and be it further

RESOLVED, That the Department of Children and Family Services shall provide administrative support for the Task Force; and be it further

RESOLVED, That the Task Force shall meet over the course of 2022 at the discretion of the chair and shall submit a final report to the General Assembly by December 31, 2022, which shall include a fair funding formula for CACs and CASAs throughout the State; and be it further

RESOLVED, That upon the filing of its final report, the Task Force is dissolved; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the Senate President, the Speaker of the House, the Senate Minority Leader, the House Minority Leader, the Executive Director of the Illinois Office of Management and Budget, the Director of the Department of Children and Family Services, and the Illinois Attorney General.

### REPORTS FROM STANDING COMMITTEES

Senator Landek, Chair of the Committee on State Government, to which was referred **Senate Bills Numbered 2984, 3597, 3625, 3626, 3777, 3847, 3938, 3939, 3942, 4024 and 4025**, reported the same back with the recommendation that the bills do pass.

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

Senator Landek, Chair of the Committee on State Government, to which was referred **Senate Bill No. 3786**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator E. Jones III, Chair of the Committee on Licensed Activities, to which was referred **Senate Bills Numbered 670, 675, 3025, 3127, 3498, 3833, 4013, 4014, 4015, 4016, 4017 and 4018**, reported the same back with the recommendation that the bills do pass.

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

Senator E. Jones III, Chair of the Committee on Licensed Activities, to which was referred **Senate Bill No. 2243**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bills Numbered 3158, 3600, 3683, 3789, 3985, 4020 and 4044**, reported the same back with the recommendation that the bills do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **Senate Bills Numbered 2973, 3695, 3799 and 3848**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Harris, Chair of the Committee on Insurance, to which was referred **Senate Bills Numbered 2963 and 3910**, reported the same back with the recommendation that the bills do pass.

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

Senator Ellman, Chair of the Committee on Financial Institutions, to which was referred **Senate Bills Numbered 3145, 3787 and 3971**, reported the same back with the recommendation that the bills do pass.

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

Senator Villanueva, Chair of the Committee on Human Rights, to which was referred **Senate Bill No. 3616**, reported the same back with the recommendation that the bill do pass.

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

Senator Villanueva, Chair of the Committee on Human Rights, to which was referred **Senate Bill No. 3865**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Joyce, Chair of the Committee on Agriculture, to which was referred **Senate Bill No. 3184**, reported the same back with the recommendation that the bill do pass.

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

Senator Joyce, Chair of the Committee on Agriculture, to which was referred **Senate Bill No. 3471**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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

Senator Glowiak Hilton, Chair of the Committee on Commerce, to which was referred **Senate Bills Numbered 3838 and 3930**, reported the same back with the recommendation that the bills do pass.

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

Senator Hastings, Chair of the Committee on Energy and Public Utilities, to which was referred **Senate Bills Numbered 2940, 3790, 3866 and 3903**, reported the same back with the recommendation that the bills do pass.

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

Senator Hastings, Chair of the Committee on Energy and Public Utilities, to which was referred **Senate Bills Numbered 3005 and 3613**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Bush, Chair of the Committee on Environment and Conservation, to which was referred **Senate Bill No. 3905**, reported the same back with the recommendation that the bill do pass.

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

Senator Bush, Chair of the Committee on Environment and Conservation, to which was referred **Senate Bill No. 3633**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

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



Senator Hunter, Chair of the Committee on Revenue, to which was referred **Senate Bills Numbered 2154, 2990, 3090, 3106, 3634, 3658, 3685, 3832, 3894, 3917 and 3944**, reported the same back with the recommendation that the bills do pass.

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

Senator Hunter, Chair of the Committee on Revenue, to which was referred **Senate Bills Numbered 3027, 3215, 3661, 3882 and 3895**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

### LEGISLATIVE MEASURE FILED

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

Amendment No. 1 to Senate Bill 4044

### INTRODUCTION OF BILL

**SENATE BILL NO. 4165.** Introduced by Senator McClure, a bill for AN ACT concerning State government.

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

### READING BILLS OF THE SENATE A SECOND TIME

On motion of Senator Morrison, **Senate Bill No. 1915** having been printed, was taken up, read by title a second time.

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

#### AMENDMENT NO. 1 TO SENATE BILL 1915

AMENDMENT NO. 1. Amend Senate Bill 1915 as follows:

on page 2, line 8, after "State", by inserting "agency or institution of higher education"; and

on page 2, line 14, after "foodware", by inserting "The contract awarded the cost preference in this subsection (b) shall also include the option of providing the State agency or institution of higher education with single-use plastic straws."; and

by replacing line 15 on page 2 through line 7 on page 3 with the following:

"(c) When any State contract is to be awarded for or including single-use disposable foodware, the State agency or institution of higher education shall include a requirement that the responsible bidder or offeror provide a compostable or recyclable alternative to single-use disposable foodware. The State agency or institution of higher education shall select the compostable or recyclable alternative unless its cost exceeds its single-use alternative by more than 10%. The contract or award that is to be awarded the cost preference in this subsection (c) shall also include the option of providing the State agency or institution of higher education with single-use plastic straws.

(d) After January 1, 2023, State agencies and departments may not procure single-use plastic disposable foodware for use at any State parks or natural areas, and instead shall offer only compostable foodware or recyclable foodware, except for single-use plastic straws which must be offered upon request.

(e) After January 1, 2024, or at the renewal of its next contract, no vendor contracted through a State agency or department may provide customers with single-use plastic disposable foodware at any site located

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at a State park or a natural area, and instead shall offer only compostable foodware or recyclable foodware, except for single-use plastic straws which must be offered upon request."

**AMENDMENT NO. 2 TO SENATE BILL 1915**

AMENDMENT NO. 2 . Amend Senate Bill 1915 as follows:

on page 2, by replacing lines 15 through 25 with the following:

"(c) After January 1, 2023, State agencies and departments may not procure single-use plastic disposable foodware for use at any State parks or natural areas, and instead shall offer only compostable foodware or recyclable foodware.

(d) After January 1, 2024, or at the renewal of its next contract, no vendor contracted through a State agency or department may provide customers with single-use plastic disposable foodware at any site located at a State park or a natural area, and instead shall offer only compostable foodware or recyclable foodware."; and

on page 3, immediately below line 7, by inserting the following:

"(f) This Section does not apply to the procurement of contracts for the Illinois State Fair."

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 S. Turner, **Senate Bill No. 2942** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 2942**

AMENDMENT NO. 1 . Amend Senate Bill 2942 on page 1, line 16, by inserting after "media." the following:

"The court shall enter its finding that particular parties are disinterested and the basis for that finding into the record."

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. 1633** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 1633**

AMENDMENT NO. 1 . Amend Senate Bill 1633 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing Home Care Act is amended by adding Section 2-100 and by changing Sections 2-101, 2-104, and 2-112 as follows:

(210 ILCS 45/2-100 new)

Sec. 2-100. Legislative purpose; public policy. It is the public policy of the State of Illinois that facilities licensed under this Act are an important part of the continuum of long-term care and must be supported and preserved to ensure that the long-term care needs of residents, current and future, remain a priority for the State of Illinois. In support of this goal, it is imperative that the State, facilities, residents, and residents' families work in partnership to address the needs of residents and facilities in an ever-changing environment. Sufficient support and flexibility must be provided to facilities and facility staff as they work to preserve each person's dignity, individuality, and decision-making ability and promote each person's health, safety, and welfare.

(210 ILCS 45/2-101) (from Ch. 111 1/2, par. 4152-101)

Sec. 2-101. No resident shall be deprived of any rights, benefits, or privileges guaranteed by law, the Constitution of the State of Illinois, or the Constitution of the United States solely on account of his or her status as a resident of a facility.

(Source: P.A. 81-223.)

(210 ILCS 45/2-104) (from Ch. 111 1/2, par. 4152-104)

Sec. 2-104. (a) A resident shall be permitted to retain the services of his own personal physician at his own expense or under an individual or group plan of health insurance, or under any public or private assistance program providing such coverage. However, the facility is not liable for the negligence of any such personal physician. Every resident shall be permitted to obtain from his own physician or the physician attached to the facility complete and current information concerning his medical diagnosis, treatment and prognosis in terms and language the resident can reasonably be expected to understand. Every resident shall be permitted to participate in the planning of his total care and medical treatment to the extent that his condition permits. Phone numbers and websites for rights protection services must be posted in common areas and provided upon the request of a resident. No resident shall be subjected to experimental research or treatment without first obtaining his informed, written consent. The conduct of any experimental research or treatment shall be authorized and monitored by an institutional review board appointed by the Director. The membership, operating procedures and review criteria for the institutional review board shall be prescribed under rules and regulations of the Department and shall comply with the requirements for institutional review boards established by the federal Food and Drug Administration. No person who has received compensation in the prior 3 years from an entity that manufactures, distributes, or sells pharmaceuticals, biologics, or medical devices may serve on the institutional review board.

The institutional review board may approve only research or treatment that meets the standards of the federal Food and Drug Administration with respect to (i) the protection of human subjects and (ii) financial disclosure by clinical investigators. The Office of State Long Term Care Ombudsman and the State Protection and Advocacy organization shall be given an opportunity to comment on any request for approval before the board makes a decision. Those entities shall not be provided information that would allow a potential human subject to be individually identified, unless the board asks the Ombudsman for help in securing information from or about the resident. The board shall require frequent reporting of the progress of the approved research or treatment and its impact on residents, including immediate reporting of any adverse impact to the resident, the resident's representative, the Office of the State Long Term Care Ombudsman, and the State Protection and Advocacy organization. The board may not approve any retrospective study of the records of any resident about the safety or efficacy of any care or treatment if the resident was under the care of the proposed researcher or a business associate when the care or treatment was given, unless the study is under the control of a researcher without any business relationship to any person or entity who could benefit from the findings of the study.

No facility shall permit experimental research or treatment to be conducted on a resident, or give access to any person or person's records for a retrospective study about the safety or efficacy of any care or treatment, without the prior written approval of the institutional review board. No nursing home administrator, or person licensed by the State to provide medical care or treatment to any person, may assist or participate in any experimental research on or treatment of a resident, including a retrospective study, that does not have the prior written approval of the board. Such conduct shall be grounds for professional discipline by the Department of Financial and Professional Regulation.

The institutional review board may exempt from ongoing review research or treatment initiated on a resident before the individual's admission to a facility and for which the board determines there is adequate ongoing oversight by another institutional review board. Nothing in this Section shall prevent a facility, any facility employee, or any other person from assisting or participating in any experimental research on or treatment of a resident, if the research or treatment began before the person's admission to a facility, until the board has reviewed the research or treatment and decided to grant or deny approval or to exempt the research or treatment from ongoing review.

The institutional review board requirements of this subsection (a) do not apply to investigational drugs, biological products, or devices used by a resident with a terminal illness as set forth in the Right to Try Act.

(b) All medical treatment and procedures shall be administered as ordered by a physician. All new physician orders shall be reviewed by the facility's director of nursing or charge nurse designee within 24 hours after such orders have been issued to assure facility compliance with such orders.

All physician's orders and plans of treatment shall have the authentication of the physician. For the purposes of this subsection (b), "authentication" means an original written signature or an electronic signature system that allows for the verification of a signer's credentials. A stamp signature, with or without initials, is not sufficient.

According to rules adopted by the Department, every woman resident of child-bearing age shall receive routine obstetrical and gynecological evaluations as well as necessary prenatal care.

(c) Every resident shall be permitted to refuse medical treatment and to know the consequences of such action, unless such refusal would be harmful to the health and safety of others and such harm is documented by a physician in the resident's clinical record. The resident's refusal shall free the facility from the obligation to provide the treatment.

(d) Every resident, resident's guardian, or parent if the resident is a minor shall be permitted to inspect and copy all his clinical and other records concerning his care and maintenance kept by the facility or by his physician. The facility may charge a reasonable fee for duplication of a record.

(e) A resident shall not perform labor or services for a facility unless those activities are included for therapeutic purposes and appropriately goal-related in his or her individual medical record.

(Source: P.A. 99-270, eff. 1-1-16.)

(210 ILCS 45/2-112) (from Ch. 111 1/2, par. 4152-112)

Sec. 2-112. A resident shall be permitted to present grievances on behalf of himself or others to the administrator, the Long-Term Care Facility Advisory Board, the residents' advisory council, State governmental agencies, or other persons of his or her choice, free from restraint, interference, coercion, or discrimination and without threat of discharge or reprisal in any form or manner whatsoever. Every facility shall have a written internal grievance procedure that, at a minimum: (1) must be posted in common areas and provided to the resident or resident's representative; (2) requires the facility to review all grievances and provide a response; (3) requires the facility to follow applicable State and federal requirements for responding to and reporting any grievance alleging potential abuse, neglect, misappropriation of resident property, or exploitation; and (4) requires the facility to keep a copy of all grievances, responses, and outcomes for 3 years and provide the information to the Department upon request. The administrator shall post in common areas and provide all residents or their representatives with the name, address, and telephone number of the appropriate State governmental office where complaints may be lodged. ~~The administrator shall provide all residents or their representatives with the name, address, and telephone number of the appropriate State governmental office where complaints may be lodged.~~

(Source: P.A. 81-223.)".

Floor Amendment No. 2 was held in the Committee on Health.

Floor Amendment No. 3 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.

On motion of Senator Fine, **Senate Bill No. 2945** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 2951** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 2958** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 2962** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 2974** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **Senate Bill No. 2993** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 3011** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 3017** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Healthcare Access and Availability, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 3017**

AMENDMENT NO. 1. Amend Senate Bill 3017 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois is amended by changing Section 2310-220 as follows:

(20 ILCS 2310/2310-220) (was 20 ILCS 2310/55.73)

Sec. 2310-220. Findings; rural obstetrical care. The General Assembly finds that substantial areas of rural Illinois lack adequate access to obstetrical care. The primary cause of this problem is the absence of qualified practitioners who are willing to offer obstetrical services. A significant barrier to recruiting and retaining those practitioners is the high cost of professional liability insurance for practitioners offering obstetrical care.

Therefore, the Department, from funds appropriated for that purpose, shall award grants to physicians practicing obstetrics in rural designated shortage areas, as defined in Section 3.04 of the Underserved Health Care Provider Physician Workforce Act, for the purpose of reimbursing those physicians for the costs of obtaining malpractice insurance relating to obstetrical services. The Department shall establish reasonable conditions, standards, and duties relating to the application for and receipt of the grants.  
(Source: P.A. 101-118, eff. 7-22-19.)

Section 10. The Underserved Physician Workforce Act is amended by changing Sections 1, 3.04, and 3.09 as follows:

(110 ILCS 935/1) (from Ch. 144, par. 1451)

Sec. 1. This Act shall be known and may be cited as the Underserved Health Care Provider Physician Workforce Act.  
(Source: P.A. 101-118, eff. 7-22-19.)

(110 ILCS 935/3.04) (from Ch. 144, par. 1453.04)

Sec. 3.04. "Designated Shortage Area" means an area designated by the Director as a physician shortage area, a medically underserved area, or a critical health manpower shortage area as defined by the United States Department of Health, Education and Welfare, or as further defined by the Department to enable it to effectively fulfill the purpose stated in Section 2 of this Act. Such areas may include the following:

- (a) an urban or rural area which is a rational area for the delivery of health services;
- (b) a population group; ~~or~~
- (c) a public or nonprofit private medical facility; ~~or~~

(d) a government-owned, privately owned, independent, or provider-based Rural Health Clinic or hospital that accepts Medicaid patients and assists patients who are uninsured to qualify for Medicaid or develop a discount payment plan, or both, according to financial need.

(Source: P.A. 80-478.)

(110 ILCS 935/3.09)

Sec. 3.09. Eligible health care provider. "Eligible health care provider" means a primary care physician, general surgeon, emergency medicine physician, ~~or~~ obstetrician, advanced practice registered nurse, or physician assistant who accepts Medicaid patients or develops a discount payment plan, or both, for patients according to financial need.

(Source: P.A. 101-118, eff. 7-22-19.)

Section 15. The Nurses in Advancement Law is amended by changing Section 1-20 as follows:

(110 ILCS 970/1-20) (from Ch. 144, par. 2781-20)

Sec. 1-20. Scholarship requirements. It shall be lawful for any organization to condition any loan or grant upon the recipient's executing an agreement to commit not more than 5 years of his or her professional career to the goals specifically outlined within the agreement including a requirement that recipient practice nursing or medicine in specifically designated practice and geographic areas.

Any agreement executed by an organization and any recipient of loan or grant assistance shall contain a provision for liquidated damages to be paid for any breach of any provision of the agreement, or any commitment contained therein, together with attorney's fees and costs for the enforcement thereof. Any such covenant shall be valid and enforceable in the courts of this State as liquidated damages and shall not be considered a penalty, provided that the provision for liquidated damages does not exceed \$2,500 for each year remaining for the performance of the agreement.

This Section shall not be construed as pertaining to or limiting any liquidated damages resulting from scholarships awarded under the Underserved Health Care Provider ~~Physician~~ Workforce Act. (Source: P.A. 101-118, eff. 7-22-19.)

Section 20. The Private Medical Scholarship Agreement Act is amended by changing Section 3 as follows:

(110 ILCS 980/3) (from Ch. 144, par. 2703)

Sec. 3. Any such agreement executed by such an organization and any recipient of loan, grant assistance or recommendation may contain a provision for liquidated damages to be paid for any breach of any provision of the agreement, or any commitment contained therein, together with attorney's fees and costs for the enforcement thereof. Any such covenant shall be valid and enforceable in the courts of this State as liquidated damages and shall not be considered a penalty, provided that such provision for liquidated damages does not exceed \$2,500 for each year remaining for the performance of such agreement.

This Section shall not be construed as pertaining to or limiting any liquidated damages resulting from scholarships awarded under the Underserved Health Care Provider ~~Physician~~ Workforce Act. (Source: P.A. 101-118, eff. 7-22-19.)

Section 25. The Illinois Public Aid Code is amended by changing Section 12-4.24a as follows:  
(305 ILCS 5/12-4.24a) (from Ch. 23, par. 12-4.24a)

Sec. 12-4.24a. Report and recommendations concerning designated shortage area. The Illinois Department shall analyze payments made to providers of medical services under Article V of this Code to determine whether any special compensatory standard should be applied to payments to such providers in designated shortage areas as defined in Section 3.04 of the Underserved Health Care Provider ~~Physician~~ Workforce Act. The Illinois Department shall, not later than June 30, 1990, report to the Governor and the General Assembly concerning the results of its analysis, and may provide by rule for adjustments in its payment rates to medical service providers in such areas. (Source: P.A. 101-118, eff. 7-22-19.)

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

Committee Amendment No. 2 was held in the Committee on Assignments.

Floor Amendment No. 3 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.

On motion of Senator D. Turner, **Senate Bill No. 3019** having been printed, was taken up, read by title a second time.

Senator D. Turner offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3019**

AMENDMENT NO. 1. Amend Senate Bill 3019 on page 7, by replacing line 19 with the following:

"carnival, amusement enterprise, or county or State fair when persons".

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 Fine, **Senate Bill No. 3032** having been printed, was taken up, read by title a second time.

Senator Fine offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3032**

AMENDMENT NO. 1. Amend Senate Bill 3032 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Student Debt Assistance Act.

Section 5. Definitions. In this Act:

"Debt" means any money, obligation, claim, or sum due or owing or alleged to be due or owing from a student to an institution of higher education. "Debt" does not include the fee, if any, that is charged to students by an applicable provider for the actual cost of providing an academic transcript to a student.

"Institution of higher education" includes, but is not limited to, an institution to which the Private Business and Vocational Schools Act of 2012 or the Private College Act applies and a public institution of higher education included in the definition of "public institutions of higher education" under the Board of Higher Education Act. "Institution of higher education" also includes a person engaged in the business of providing postsecondary education, via correspondence or online or in this State, to an individual located in this State, regardless of whether the person has obtained authorization from the Board of Higher Education to operate in this State or is accredited.

"Official transcript" means the academic transcript or a similar academic record of each current or former student of an institution of higher education that is deemed official, authenticated, certified, or bona fide and that contains information customarily provided on an official academic transcript, including, but not limited to, courses taken, terms, grades, degrees or credentials conferred, and any other similar information.

"Unofficial transcript" means the academic transcript or a similar academic record of each current or former student of an institution of higher education that contains information customarily provided on an official transcript, but cannot be used to transfer academic credits to another institution of higher education.

Section 10. Withholding of unofficial transcripts prohibited. An institution of higher education may not do any of the following:

- (1) Refuse to provide an unofficial transcript to a current or former student on the grounds that the student owes a debt.
- (2) Condition the provision of an unofficial transcript on the payment of a debt, other than a fee charged to provide the transcript.
- (3) Charge a higher fee for obtaining an unofficial transcript or provide less favorable treatment of a request for an unofficial transcript because a current or former student owes a debt.

Section 15. Withholding of official transcripts. An institution of higher education:

- (1) must provide an official transcript of a current or former student to a current or potential employer, even if the current or former student owes a debt;
- (2) may not condition the provision of an official transcript to a current or potential employer on the payment of a debt, other than a fee charged to provide the transcript; and
- (3) may not charge a higher fee for transferring an official transcript to a current or potential employer or provide less favorable treatment for such a request because a current or former student owes a debt.

Section 20. Physical or financial hardship policy.

(a) Beginning with the 2022-2023 school year, every institution of higher education must have a policy instituting a financial or physical hardship withdrawal process. The process must work to limit debt owed by students who have to withdraw from the institution due to a significant financial or physical

hardship and to assist those students if and when they choose to re-enroll. Types of hardship shall include, but are not limited to:

- (1) serious injury or illness;
- (2) chronic illness;
- (3) a medical issue of a family member in which the student has to become a part-time or full-time caretaker of that family member;
- (4) a mental health condition;
- (5) a sudden or consistent lack of transportation issue; and
- (6) a significant cost of living increase.

(b) Information regarding the existence of the financial or physical hardship withdrawal process shall be publicized on the institution of higher education's website, and information must be given to students as part of any school orientation process.

Section 25. Student debt and credit report. If an institution of higher education chooses to send a current or former student's past due debt to a debt collection agency, the past due debt may not be reported to any credit reporting agencies or used against that student in a credit report or credit score.

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.

On motion of Senator Castro, **Senate Bill No. 3050** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **Senate Bill No. 3082** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 3083** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Judiciary.

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

On motion of Senator Glowiak Hilton, **Senate Bill No. 3103** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 3108** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **Senate Bill No. 3122** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 3130** 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 3130**

AMENDMENT NO. 1. Amend Senate Bill 3130 on page 7, line 7, by replacing "21" with "18"; and

on page 19, immediately below line 18, by inserting:

"Section 99. Effective date. This Act takes effect July 1, 2023."

[February 10, 2022]



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. 3132** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 3144** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villanueva, **Senate Bill No. 3149** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 3156** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Behavioral and Mental Health.

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

On motion of Senator Johnson, **Senate Bill No. 3166** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on Licensed Activities.

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

On motion of Senator Feigenholtz, **Senate Bill No. 3174** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 3180** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 3187** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **Senate Bill No. 3189** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 3197** having been printed, was taken up, read by title a second time.

Floor Amendment No. 1 was held in the Committee on State Government.

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

On motion of Senator Harris, **Senate Bill No. 3201** having been printed, was taken up, read by title a second time.

Senator Harris offered the following amendment and moved its adoption:

**AMENDMENT NO. 1 TO SENATE BILL 3201**

AMENDMENT NO. 1. Amend Senate Bill 3201 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 16-118 as follows:

(40 ILCS 5/16-118) (from Ch. 108 1/2, par. 16-118)

Sec. 16-118. Retirement. "Retirement": Entry upon a retirement annuity or receipt of a single-sum retirement benefit granted under this Article after termination of active service as a teacher.

(a) An annuitant receiving a retirement annuity other than a disability retirement annuity may accept employment as a teacher from a school board or other employer specified in Section 16-106 without impairing retirement status, if that employment:

(1) is not within the school year during which service was terminated; and

(2) does not exceed the following:

- (i) before July 1, 2001, 100 paid days or 500 paid hours in any school year;
- (ii) during the period beginning July 1, 2001 through June 30, 2011, 120 paid days or 600 paid hours in each school year;
- (iii) during the period beginning July 1, 2011 through June 30, 2018, 100 paid days or 500 paid hours in each school year;
- (iv) beginning July 1, 2018 through June 30, ~~2021~~ 2023, 120 paid days or 600 paid hours in each school year, but not more than 100 paid days in the same classroom; ~~and~~
- (v) beginning July 1, 2021 through June 30, 2023, 140 paid days or 700 paid hours in each school year, but not more than 100 paid days in the same classroom; and
- (vi) beginning July 1, 2023, 120 ~~400~~ paid days or 600 ~~500~~ paid hours in each school year.

Where such permitted employment is partly on a daily and partly on an hourly basis, a day shall be considered as 5 hours.

(b) Subsection (a) does not apply to an annuitant who returns to teaching under the program established in Section 16-150.1, for the duration of his or her participation in that program. (Source: P.A. 101-645, eff. 6-26-20; 102-537, eff. 8-20-21.)

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.

On motion of Senator Glowiak Hilton, **Senate Bill No. 3416** having been printed, was taken up, read by title a second time.

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

#### AMENDMENT NO. 1 TO SENATE BILL 3416

AMENDMENT NO. 1 . Amend Senate Bill 3416 by replacing everything after the enacting clause with the following:

"Section 5. The Occupational Safety and Health Act is amended by changing Sections 25, 60, 65, 80, 85, 90, 100, and 110 as follows:

(820 ILCS 219/25)

Sec. 25. Occupational safety and health standards.

(a) All federal occupational safety and health standards which the United States Secretary of Labor has promulgated or modified in accordance with the federal Occupational Safety and Health Act of 1970 and which are in effect on the effective date of this Act shall be and are hereby made rules of the Department unless the Director promulgates an alternate standard that is at least as effective in providing safe and healthful employment and places of employment as a federal standard. Before developing and adopting an alternate standard or modifying or revoking an existing standard, the Director must consider factual information that includes:

(1) Expert technical knowledge.

(2) Input from interested persons, including employers, employees, recognized standards-producing organizations, and the public.

(b) All federal occupational safety and health standards which the United States Secretary of Labor promulgates or modifies in accordance with the federal Occupational Safety and Health Act of 1970 on or after the effective date of this Act, unless revoked by the Secretary of Labor, shall become rules of the Department within 6 months after their federal promulgation date, unless there has been in effect in this State at the time of the promulgation or modification of the federal standard an alternate State standard that is at least as effective in providing safe and healthful employment and places of employment as a federal standard. The alternate State standard, if not currently contained in the Department's rules, shall not become effective, however, unless the Department, within 45 days after the federal promulgation date, files with the office of the Secretary of State in Springfield, Illinois, a certified copy of the rule as provided in the Illinois Administrative Procedure Act.

[February 10, 2022]

(Source: P.A. 98-874, eff. 1-1-15.)

(820 ILCS 219/60)

Sec. 60. Employers' records.

(a) The Director shall adopt rules requiring public employers to maintain accurate records of, and to make reports on, work-related deaths, injuries, and illnesses, other than minor injuries requiring only first aid treatment and which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job. The rules shall specifically include all of the reporting provisions of Section 6 of the Workers' Compensation Act and Section 6 of the Workers' Occupational Diseases Act. The records shall be available to any State agency requiring such information.

(b) The Director shall adopt rules requiring public employers to maintain accurate records of employee exposures to potentially toxic materials or harmful physical agents which are required to be monitored or measured under this Act. The rules shall provide employees or their authorized representative with an opportunity to observe the monitoring or measuring, and to have access to the records of the monitoring or measuring. The rules shall provide appropriate means by which each employee or former employee may have access to such records as will indicate his or her exposure to toxic materials or harmful physical agents.

(c) A public employer shall promptly notify any employee who has been or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by an occupational safety and health standard and shall inform the employee who is being thus exposed of the action being taken by the employer to correct such exposure.

(Source: P.A. 98-874, eff. 1-1-15.)

(820 ILCS 219/65)

Sec. 65. Periodic inspection of workplaces.

(a) The Director shall enforce the occupational safety and health standards and rules promulgated under this Act and any occupational health and safety regulations relating to inspection of places of employment, and shall visit and inspect, as often as practicable, the places of employment covered by this Act.

(b) The Director or his or her authorized representative, upon presenting appropriate credentials to a public employer's agent in charge, has the right to enter and inspect all places of employment covered by this Act as follows:

(1) An inspector may enter without delay and at reasonable times any establishment, construction site, or other area, workplace, or environment where work is performed by an employee of a public employer in order to enforce the occupational safety and health standards adopted under this Act.

(2) If a public employer refuses entry to an inspector upon being presented with proper credentials or allows entry but then refuses to permit or hinders the inspection in any way, the inspector shall leave the premises and immediately report the refusal to authorized management within the Division. Authorized management shall notify the Director to initiate the compulsory legal process to obtain entry or obtain a warrant for entry, or both.

(3) An inspector may inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any workplace described in paragraph (1) and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately the employer or any agent or employee of the employer.

(4) The owner, operator, manager, or lessee of any workplace covered by this Act, and his or her agent or employee, and any employer affected by this Act shall, when requested by the Division of Occupational Safety and Health or any duly authorized agent of that Division: (i) furnish any information in his or her possession or under his or her control which the Department is authorized to require, (ii) answer truthfully all questions required to be put to him or her, and (iii) cooperate in the making of a proper inspection.

(c) In making his or her inspection and investigations under this Act, the Director ~~of Labor~~ has the power to require the attendance and testimony of witnesses and the production of evidence under oath.

(Source: P.A. 98-874, eff. 1-1-15; 99-336, eff. 8-10-15.)

(820 ILCS 219/80)

Sec. 80. Violation of Act or standard; citation.

(a) Upon inspection or investigation of a workplace, if the Director or his or her authorized representative believes that a public employer has violated a requirement of this Act or a standard, rule, or

regulation promulgated under this Act, he or she shall with reasonable promptness issue a citation to the employer. A citation shall: (i) be in writing, (ii) describe with particularity the nature of the violation and include a reference to the provision of the Act, standard, rule, or regulation alleged to have been violated, and (iii) fix a reasonable time for the abatement of the violation.

(b) Each citation issued under this Section, or a copy or copies thereof, shall be prominently posted at or near the place at which the violation occurred as prescribed in rules adopted by the Director.

(c) A citation shall be served on the employer or the employer's agent by delivering a copy to the person upon whom the service is to be had, or by leaving a copy at his or her usual place of business or abode, or by sending a copy by certified mail to his or her place of business, or by sending a copy by email to an email address previously designated by the employer for purposes of receiving notice under this Act.

(d) A citation may not be issued under this Section after the expiration of 6 months following the occurrence of any violation.

(Source: P.A. 98-874, eff. 1-1-15.)

(820 ILCS 219/85)

Sec. 85. Civil penalties.

(a) After an inspection of a workplace under this Act, if the Director issues a citation, he or she shall, within 5 days after issuing the citation, notify the employer by certified mail, or by email to an email address previously designated by the employer for purposes of receiving notice under this Act, of any civil penalty proposed to be assessed for the violation set forth in the citation.

(b) If the Director has reason to believe that an employer has failed to correct a violation for which a citation has been issued within the period permitted for its correction, the Director shall notify the employer by certified mail, or by email to an email address previously designated by the employer for purposes of receiving notice under this Act, of that failure and of the civil penalty proposed to be assessed for that failure.

(c) Civil penalties authorized under this Section are as follows:

(1) A public employer that repeatedly violates this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any combination of those Acts, or any standard, rule, regulation, or order under any of those Acts, may be assessed a civil penalty of not more than \$10,000 per violation.

(2) A public employer that intentionally violates this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any standard, rule, regulation, or order under any of those Acts, or who demonstrates plain indifference to any provision of any of those Acts or any such standard, rule, regulation, or order, may be assessed a civil penalty of not more than \$10,000 per violation.

(3) A public employer that has received a citation for a serious violation of this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any standard, rule, regulation, or order under any of those Acts, may be assessed a civil penalty up to \$1,000 for each such violation.

(4) A public employer that has received a citation for a violation of this Act, the Safety Inspection and Education Act, or the Health and Safety Act, or any standard, rule, regulation, or order under any of those Acts, which is not a serious violation, may be assessed a civil penalty of up to \$1,000 for each such violation.

(5) A public employer that violates a posting requirement is subject to the following citations and proposed penalty structure:

(A) Job Safety and Health Poster: an other than serious citation and a proposed penalty of \$1,000.

(B) Annual Summary of Work-Related Injuries and Illnesses (OSHA Form 300A): an other than serious citation and a proposed penalty of \$1,000, even if there are no recordable injuries or illnesses.

(C) Citation: an other than serious citation and a proposed penalty of \$1,000.

(6) A public employer that fails to correct a violation for which a citation has been issued within the time period permitted may be assessed a civil penalty of up to \$1,000 for each day the violation continues.

(d) For purposes of this Section, a "serious violation" shall be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from (i) a condition which exists or (ii) one or more practices, means, methods, operations, or processes which have been adopted or are in use in the workplace, unless the employer did not know and could not, with the exercise of reasonable diligence, have known of the presence of the violation.

(e) The Director may assess civil penalties as provided in this Section, giving due consideration to the appropriateness of the penalty. A penalty may be reduced by the Director or the Director's authorized representative based on the public employer's good faith, size of business, and history of previous violations.

(f) The Attorney General may bring an action in the circuit court to enforce the collection of any civil penalty assessed under this Act.

(g) All civil penalties collected under this Act shall be deposited into the General Revenue Fund of the State of Illinois.

(Source: P.A. 98-874, eff. 1-1-15.)

(820 ILCS 219/90)

Sec. 90. Informal review.

(a) A public employer may submit in writing data relating to the abatement of a hazard to be considered by an authorized representative of the Director. The authorized representative shall notify the interested parties if such data will be used to modify an abatement order.

(b) Within 15 business working days after receiving a citation, proposed assessment of a civil penalty, or notice of failure to correct a violation, a public employer or the employer's agent may request that an authorized representative of the Director review abatement dates, reclassify violations (such as willful to serious, serious to other than serious), or modify or withdraw a penalty, a citation, or a citation item, or any combination of those, if the employer presents evidence during the informal conference which convinces the authorized representative that the changes are justified.

(Source: P.A. 98-874, eff. 1-1-15.)

(820 ILCS 219/100)

Sec. 100. Hearing.

(a) If a public employer or the employer's representative notifies the Director that the employer intends to contest a citation and notice of penalty or if, within 15 business working days after the issuance of the citation, an employee or representative of employees files a notice with the Director alleging that the period of time fixed in the citation for the abatement of the violation is unreasonable, the Director shall afford an opportunity for a hearing before an Administrative Law Judge designated by the Director.

(b) At the hearing, the employer or employee shall state his or her objections to the citation and provide evidence why the citation should not stand as issued. The Director or his or her representative shall be given the opportunity to state his or her reasons for issuing the citation. Affected employees shall be provided an opportunity to participate as parties to hearings under the rules of procedure prescribed by the Director (56 Ill. Admin. Code, Part 120).

(c) The Director, or the Administrative Law Judge on behalf of the Director, has the power to do the following:

(1) Issue subpoenas for and compel the attendance of witnesses.

(2) Hear testimony and receive evidence.

(3) Order testimony of a witness residing within or without this State to be taken by deposition in the manner prescribed by law for depositions in civil cases in the circuit court in any proceeding pending before him or her at any stage of such proceeding.

(d) Subpoenas and commissions to take testimony shall be issued by ~~under seal of~~ the Director. Service of subpoenas may be made by a sheriff or any other person.

(e) The circuit court for the county where any hearing is pending may compel the attendance of witnesses, the production of pertinent books, papers, records, or documents, and the giving of testimony before the Director or an Administrative Law Judge by an attachment proceeding, as for contempt, in the same manner as the production of evidence may be compelled before the court.

(f) The Administrative Law Judge on behalf of the Director, after considering the evidence presented at the formal hearing, in accordance with the Director's rules, shall enter a final decision and order within a reasonable time affirming, modifying, or vacating the citation or proposed assessment of a civil penalty, or directing other appropriate relief.

(Source: P.A. 98-874, eff. 1-1-15.)

(820 ILCS 219/110)

Sec. 110. Discrimination against employee prohibited.

(a) A person may not discharge or in any way discriminate against an employee because the employee has: (i) filed a complaint or instituted or caused to be instituted any proceeding under this Act, (ii) testified or is about to testify in any such proceeding, or (iii) exercised, on his or her own behalf or on behalf of

another person, any right afforded by this Act, including reporting potential violations of this Act to a member of management with authority to address the concerns.

(b) An employee who believes that he or she has been discharged or otherwise discriminated against by an employer in violation of this Section may, within 30 calendar days after the violation occurs, file a complaint with the Director alleging the discrimination.

(c) Upon receipt of the complaint, the Director shall cause an investigation to be made as the Director deems appropriate. After the investigation, if the Director determines that the employer has violated this Section, the Director shall bring an action in the circuit court for appropriate relief, including rehiring or reinstatement of the employee to his or her former position with back pay, after taking into account any interim earnings of the employee. In such matters the Director shall be represented by the Attorney General. (Source: P.A. 98-874, eff. 1-1-15.)"

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 Johnson, **Senate Bill No. 3433** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **Senate Bill No. 3438** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **Senate Bill No. 3459** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3459**

AMENDMENT NO. 1 . Amend Senate Bill 3459 on page 1, line 12, by replacing "or" with "~~or~~"; and

on page 1, line 13, by replacing "Air shall" with "Air, or a representative designated by the Adjutant General may ~~shall~~".

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 Martwick, **Senate Bill No. 3465** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **Senate Bill No. 3490** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **Senate Bill No. 3497** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3497**

AMENDMENT NO. 1 . Amend Senate Bill 3497 on page 5, line 20, by replacing "to" with "~~to~~"; and

on page 6, by replacing lines 3 through 7 with the following:

"property; or ~~to~~ a nonresident in an unincorporated area in Illinois who is a student whose household falls at or below the U.S. Department of Agriculture's Income Eligibility Guidelines. The board may adopt regulations waiving the nonresident fee for persons under the age of 18;".

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. 3617** having been printed, was taken up, read by title a second time.

The following amendment was offered in the Committee on Behavioral and Mental Health, adopted and ordered printed:

**AMENDMENT NO. 1 TO SENATE BILL 3617**

AMENDMENT NO. 1. Amend Senate Bill 3617 by replacing line 14 on page 13 through line 8 on page 22 with the following:

"Section 3-1. Short title. This Article may be cited as the Recovery and Mental Health Tax Credit Act. References in this Article to "this Act" mean this Article.

Section 3-5. Findings.

(a) In the interest of reducing stigma and increasing the available pool of potential employees, the General Assembly finds and declares that those residents of Illinois diagnosed with mental illness and substance use disorders should be eligible for and encouraged to seek gainful employment.

(b) The General Assembly finds and declares that minority communities in the State have been more negatively impacted in employment opportunities for minority residents diagnosed with mental illness and substance use disorders and should receive additional employment opportunities and incentives for employing minority residents diagnosed with mental illness or substance use disorders.

(c) Due to the COVID-19 public health emergency, employers in the State of Illinois have suffered negative economic impacts, a loss in workforce, staffing difficulties, and have found it difficult to recruit new workers.

(d) In the interest of providing additional employment opportunities for those residents of Illinois diagnosed with mental illness or substance use disorders and expanding the pool of potential workers in the State, the General Assembly finds and declares that certain qualified employers who employ eligible individuals should be eligible for a tax credit.

Section 3-10. Definitions. As used in this Act:

"Department" means the Department of Human Services.

"Eligible individual" means an individual with a substance use disorder, as that term is defined under Section 1-10 of the Substance Use Disorder Act, or an individual with a mental illness as that term is defined under Section 1-129 of the Mental Health and Developmental Disabilities Code, who is in a state of wellness and recovery where there is an abatement of signs and symptoms that characterize active substance use disorder or mental illness and has demonstrated to the qualified employer's satisfaction, pursuant to regulations adopted by the Department, that he or she has completed a course of treatment or is currently in receipt of treatment for such substance use disorder or mental illness. A relapse in an individual's state of wellness shall not make the individual ineligible, so long as the individual shows a continued commitment to recovery that aligns with an individual's relapse prevention plan, discharge plan, or recovery plan.

"Qualified employer" means an employer operating within the State that has received a certificate of tax credit from the Department after the Department has determined that the employer:

(1) provides a recovery supportive environment for their employees evidenced by a formal working relationship with a substance use disorder treatment provider or facility or mental health provider or facility, each as may be licensed or certified within the State of Illinois, and providing reasonable accommodation to the employees to address their substance use disorder or mental illness, all at no cost or expense to the eligible individual; and

(2) satisfies all other criteria in this Section and established by the Department to participate in the recovery tax program created hereunder.

"Taxpayer" means any individual, corporation, partnership, trust, or other entity subject to the Illinois income tax. For the purposes of this Act, 2 individuals filing a joint return shall be considered one taxpayer.

Section 3-15. Authorization of tax credit program for individuals in recovery from substance use disorders or mental illness.

(a) For taxable years beginning on or after January 1, 2023, the Department is authorized to and shall establish and administer a recovery tax credit program to provide tax incentives to qualified employers who employ eligible individuals in recovery from a substance use disorder or mental illness in part-time and full-time positions within Illinois. The Department shall award the tax credit by issuance of a certificate of tax credit to the qualified employer, who will present the certificate of tax credit to the Department of Revenue by attaching the certificate to its tax return, as a credit against the qualified employer's tax obligation in accordance with this Act. The Department shall maintain an electronic listing of the certificates issued by which the Department of Revenue may confirm the eligibility of qualified employers for the tax credit.

(b) To be a qualified employer, an employer must apply annually to the Department to claim a credit based upon eligible individuals employed during the preceding calendar year, using the forms prescribed by the Department. To be approved for a credit under this Act, the employer must:

(1) agree to provide to the Department the information necessary to demonstrate that the employer has satisfied program eligibility requirements and provided all information requested or needed by the Department, including the number of hours worked by the eligible individual and other information necessary for the Department to calculate the amount of credit permitted; and

(2) agree to provide names, employer identification numbers, amounts that the employer may claim, and other information necessary for the Department to calculate any tax credit.

(c) To be an eligible individual, the individual must be diagnosed with or have been diagnosed with a substance use disorder or mental illness. Disclosure by the eligible individual of his or her mental illness or substance use disorder shall be completely voluntary and his or her health information may not be shared or disclosed under this Act without the eligible individual's express written consent. The eligible individual must have been employed by the qualified employer in the State for a minimum of 500 hours during the applicable calendar year and the tax credit may only begin on the date the eligible individual is hired by the qualified employer and ending on December 31 of that calendar year or the date that the eligible individual's employment with the qualified employer ends, whichever occurs first. Only one tax credit may be awarded for any eligible individual while employed by the same or related qualified employer. The hours of employment of 2 or more eligible individuals may not be aggregated to reach the minimum number of hours. If an eligible individual has worked in excess of 500 hours between the date of hiring and December 31 of that year, a qualified employer can elect to compute and claim a credit for such eligible individual in that year based on the hours worked by December 31. Alternatively, the qualified employer may elect to include such individual in the computation of the credit in the year immediately succeeding the year in which the eligible individual was hired. In that case, the credit shall be computed on the basis of all hours worked by the eligible individual from the date of hire to the earlier of the last day of employment or December 31 of the succeeding year.

(d) The aggregate amount of all credits the Department may award under this Act in any calendar year may not exceed \$2,000,000.

(e) If the qualified employer's taxable year is a calendar year, the employer shall be entitled to claim the credit as shown on the certificate of tax credit on the calendar year return for which the certificate of tax credit was issued. If the certified employer's taxable year is a fiscal year, the qualified employer shall be entitled to claim the credit as shown on the certificate of tax credit on the return for the fiscal year that includes the last day of the calendar year covered by the certificate of tax credit. The tax credit may not be carried forward.

(f) If Department criteria and all other requirements are met, a qualified employer shall be entitled to a tax credit equal to the product of \$1 and the number of hours worked by each eligible individual during the eligible individual's period of employment with the qualified employer. The tax credit awarded hereunder may not exceed \$2,000 per eligible individual employed by the qualified employer in the State. In determining the amount of tax credit that any qualified employer may claim, the Department shall review all claims submitted for credit by all employers and, to the extent that the total amount claimed by employers exceeds the amount allocated for this program in that calendar year, shall issue tax credits on a pro rata basis corresponding to each qualified employer's share of the total amount claimed.

(g) No tax credit awarded under this Act may reduce a qualified employer's tax obligation to less than zero.



(h) The Department of Revenue shall review the certificate issued to the qualified employer and submitted with its tax return and, if approved, accept and apply the tax credit toward the qualified employer's income tax obligation. A taxpayer that is a qualified employer that has received a certificate of tax credit from the Department shall be allowed a credit against the tax imposed equal to the amount shown on such certificate of tax credit. For partners, shareholders of Subchapter S corporations, and owners of limited liability companies, if the liability company is treated as a partnership for purposes of federal and State income taxation, there shall be allowed a credit under this subsection (f) to be determined in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code. In carrying out this Act, no patient-specific information shall be shared or disclosed. Any individual or patient-specific information collected by the Department or the Department of Revenue shall not be subject to public disclosure or Freedom of Information Act requests.

(i) The credit under this Act is exempt from the provisions of Section 250 of the Illinois Income Tax Act.

Section 3-20. Advisory Council on Mental Illness and Substance Use Disorder Impacts on Employment Opportunities within Minority Communities. The Secretary of the Department shall appoint the Advisory Council on Mental Illness and Substance Use Disorder Impacts on Employment Opportunities within Minority Communities, to be composed of 15 members, which shall include a balanced representation of recipients, services providers, employers, local governmental units, community and welfare advocacy groups, academia, and the general public. The Advisory Council shall advise the Department regarding all aspects of employment impacts resulting from mental illnesses and substance use disorders within minority communities, tax credits, outreach, marketing, and education about the tax credit and employment opportunities, and other areas as deemed appropriate by the Secretary. In appointing the first Council, the Secretary shall name 8 members to terms of 2 years and 7 members to serve terms of 4 years, all of whom shall be appointed within 6 months of the effective date of this Act. All members appointed thereafter shall serve terms of 4 years. Members shall serve without compensation other than reimbursement of expenses actually incurred in the performance of their official duties. At its first meeting, the Advisory Council shall select a chair from among its members. The Advisory Council shall meet at least quarterly and at other times at the call of the chair.

Section 3-25. Powers. The Department shall adopt rules for the administration of this Act. The Department may enter into an intergovernmental agreement with the Department of Revenue for the administration of this Act.

Section 3-30. The Illinois Income Tax Act is amended by adding Section 232 as follows:  
(35 ILCS 5/232 new)

Sec. 232. Recovery and Mental Health Tax Credit Act. A taxpayer who has been awarded a credit under the Recovery and Mental Health Tax Credit Act is entitled to a credit against the tax imposed by subsections (a) and (b) of Section 201 as provided in that Act. This Section is exempt from the provisions of Section 250.

#### Article 5.

Section 5-10. The Clinical Psychologist Licensing Act is amended by changing Section 13 as follows:  
(225 ILCS 15/13) (from Ch. 111, par. 5363)  
(Section scheduled to be repealed on January 1, 2027)

Sec. 13. License renewal; restoration.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule. Every holder of a license under this Act may renew such license during the 90-day period immediately preceding the expiration date thereof upon payment of the required renewal fees and demonstrating compliance with any continuing education requirements. The Department shall adopt rules establishing minimum requirements of continuing education and means for verification of the completion of the continuing education requirements. The Department may, by rule, specify circumstances under which the continuing education requirements may be waived.

A clinical psychologist who has permitted his or her license to expire or who has had his or her license on inactive status may have his or her license restored by making application to the Department and

filing proof acceptable to the Department, as defined by rule, of his or her fitness to have his or her license restored, including evidence certifying to active practice in another jurisdiction satisfactory to the Department and by paying the required restoration fee.

If the clinical psychologist has not maintained an active practice in another jurisdiction satisfactory to the Department, the Board shall determine, by an evaluation program established by rule, his or her fitness to resume active status and may require the clinical psychologist to complete a period of supervised professional experience and may require successful completion of an examination.

However, any clinical psychologist whose license expired while he or she was (1) in Federal Service on active duty with the Armed Forces of the United States, or the State Militia called into service or training, or (2) in training or education under the supervision of the United States preliminary to induction into the military service, may have his or her license renewed or restored without paying any lapsed renewal fees if within 2 years after honorable termination of such service, training or education he or she furnishes the Department with satisfactory evidence to the effect that he or she has been so engaged and that his or her service, training or education has been so terminated.

(b) Notwithstanding any other provision of law, the following requirements for restoration of an inactive or expired license of less than 5 years as set forth in subsection (a) are suspended for any licensed clinical psychologist who has had no disciplinary action taken against his or her license in this State or in any other jurisdiction during the entire period of licensure: proof of fitness, certification of active practice in another jurisdiction, and the payment of a renewal fee.

(Source: P.A. 96-1050, eff. 1-1-11.)

Section 5-15. The Clinical Social Work and Social Work Practice Act is amended by changing Section 11 as follows:

(225 ILCS 20/11) (from Ch. 111, par. 6361)

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

Sec. 11. Licenses; renewal; restoration; person in military service; inactive status.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule. The licensee may renew a license during the 60-day period preceding its expiration date by paying the required fee and by demonstrating compliance with any continuing education requirements. The Department shall adopt rules establishing minimum requirements of continuing education and means for verification of the completion of the continuing education requirements. The Department may, by rule, specify circumstances under which the continuing education requirements may be waived.

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

(b-5) If the person has not maintained an active practice in another jurisdiction which is satisfactory to the Department, the Department shall determine the person's fitness to resume active status. The Department may also require the person to complete a specific period of evaluated clinical social work or social work experience and may require successful completion of an examination for clinical social workers.

(b-7) Notwithstanding any other provision of this Act, any person whose license expired while on active duty with the armed forces of the United States, while called into service or training with the State Militia or in training or education under the supervision of the United States government prior to induction into the military service may have his or her license restored without paying any renewal fees if, within 2 years after the honorable termination of that service, training or education, except under conditions other than honorable, the Department is furnished with satisfactory evidence that the person has been so engaged and that the service, training or education has been so terminated.

(c) A license to practice shall not be denied any applicant because of the applicant's race, religion, creed, national origin, political beliefs or activities, age, sex, sexual orientation, or physical impairment.

(d) (Blank).

(e) (Blank).

(f) (Blank).

(g) The Department shall indicate on each license the academic degree of the licensee.

(h) Notwithstanding any other provision of law, the following requirements for restoration of an inactive or expired license of 5 years or less as set forth in subsections (b) and (b-5) are suspended for any

licensed clinical social worker who has had no disciplinary action taken against his or her license in this State or in any other jurisdiction during the entire period of licensure: proof of fitness, certification of active practice in another jurisdiction, and the payment of a fee or renewal fee.  
(Source: P.A. 102-326, eff. 1-1-22.)

Section 5-20. The Professional Counselor and Clinical Professional Counselor Licensing and Practice Act is amended by changing Section 50 as follows:

(225 ILCS 107/50)

(Section scheduled to be repealed on January 1, 2023)

Sec. 50. Licenses; renewal; restoration; person in military service; inactive status.

(a) The expiration date and renewal period for each license issued under this Act shall be set by rule. As a condition for renewal of a license, the licensee shall be required to complete continuing education in accordance with rules established by the Department.

(b) Any person who has permitted a license to expire or who has a license on inactive status may have it restored by submitting an application to the Department and filing proof of fitness acceptable to the Department, to have the license restored, including, if appropriate, evidence which is satisfactory to the Department certifying the active practice of professional counseling or clinical professional counseling in another jurisdiction and by paying the required fee.

(c) If the person has not maintained an active practice in another jurisdiction which is satisfactory to the Department, the Department shall determine, by an evaluation program established by rule, the person's fitness to resume active status and shall establish procedures and requirements for restoration.

(d) However, any person whose license expired while he or she was (i) in federal service on active duty with the armed forces of the United States or the State Militia or (ii) in training or education under the supervision of the United States government prior to induction into the military service may have his or her license restored without paying any lapsed renewal fees if, within 2 years after the honorable termination of such service, training, or education, the Department is furnished with satisfactory evidence that the person has been so engaged and that such service, training, or education has been so terminated.

(e) A license to practice shall not be denied any applicant because of the applicant's race, religion, creed, national origin, political beliefs or activities, age, sex, sexual orientation, or physical impairment.

(f) Any person requesting restoration from inactive status shall (i) be required to pay the current renewal fee, (ii) meet continuing education requirements, and (iii) be required to restore his or her license as provided in this Act.

(g) Notwithstanding any other provision of law, the following requirements for restoration of an inactive or expired license of 5 years or less as set forth in subsections (b), (c), and (f) are suspended for any licensed clinical professional counselor who has had no disciplinary action taken against his or her license in this State or in any other jurisdiction during the entire period of licensure: proof of fitness, certification of active practice in another jurisdiction, and the payment of a renewal fee.  
(Source: P.A. 97-706, eff. 6-25-12.)"

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 Murphy, **Senate Bill No. 3629** having been printed, was taken up, read by title a second time.

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

#### AMENDMENT NO. 1 TO SENATE BILL 3629

AMENDMENT NO. 1. Amend Senate Bill 3629 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Vehicle Code is amended by changing Section 4-203 as follows:

(625 ILCS 5/4-203) (from Ch. 95 1/2, par. 4-203)

Sec. 4-203. Removal of motor vehicles or other vehicles; towing or hauling away.

(a) When a vehicle is abandoned, or left unattended, on a toll highway, interstate highway, or expressway for 2 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(b) When a vehicle is abandoned on a highway in an urban district 10 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(c) When a vehicle is abandoned or left unattended on a highway other than a toll highway, interstate highway, or expressway, outside of an urban district for 24 hours or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.

(d) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by a law enforcement agency having jurisdiction.

(e) Whenever a peace officer reasonably believes that a person under arrest for a violation of Section 11-501 of this Code or a similar provision of a local ordinance is likely, upon release, to commit a subsequent violation of Section 11-501, or a similar provision of a local ordinance, the arresting officer shall have the vehicle which the person was operating at the time of the arrest impounded for a period of 12 hours after the time of arrest. However, such vehicle may be released by the arresting law enforcement agency prior to the end of the impoundment period if:

(1) the vehicle was not owned by the person under arrest, and the lawful owner requesting such release possesses a valid operator's license, proof of ownership, and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner, or who would otherwise, by operating such motor vehicle, be in violation of this Code; or

(2) the vehicle is owned by the person under arrest, and the person under arrest gives permission to another person to operate such vehicle, provided however, that the other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or who would otherwise, by operating such motor vehicle, be in violation of this Code.

(e-5) Whenever a registered owner of a vehicle is taken into custody for operating the vehicle in violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code, a law enforcement officer may have the vehicle immediately impounded for a period not less than:

(1) 24 hours for a second violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses; or

(2) 48 hours for a third violation of Section 11-501 of this Code or a similar provision of a local ordinance or Section 6-303 of this Code or a combination of these offenses.

The vehicle may be released sooner if the vehicle is owned by the person under arrest and the person under arrest gives permission to another person to operate the vehicle and that other person possesses a valid operator's license and would not, as determined by the arresting law enforcement agency, indicate a lack of ability to operate a motor vehicle in a safe manner or would otherwise, by operating the motor vehicle, be in violation of this Code.

(f) Except as provided in Chapter 18a of this Code, the owner or lessor of privately owned real property within this State, or any person authorized by such owner or lessor, or any law enforcement agency in the case of publicly owned real property may cause any motor vehicle abandoned or left unattended upon such property without permission to be removed by a towing service without liability for the costs of removal, transportation or storage or damage caused by such removal, transportation or storage. The towing or removal of any vehicle from private property without the consent of the registered owner or other legally authorized person in control of the vehicle is subject to compliance with the following conditions and restrictions:

1. Any towed or removed vehicle must be stored at the site of the towing service's place of business. The site must be open during business hours, and for the purpose of redemption of vehicles, during the time that the person or firm towing such vehicle is open for towing purposes.

2. The towing service shall within 30 minutes of completion of such towing or removal, notify the law enforcement agency having jurisdiction of such towing or removal, and the make, model, color and license plate number of the vehicle, and shall obtain and record the name of the person at the law enforcement agency to whom such information was reported.

3. If the registered owner or legally authorized person entitled to possession of the vehicle shall arrive at the scene prior to actual removal or towing of the vehicle, the vehicle shall be disconnected

from the tow truck and that person shall be allowed to remove the vehicle without interference, upon the payment of a reasonable service fee of not more than one half the posted rate of the towing service as provided in paragraph 6 of this subsection, for which a receipt shall be given.

4. The rebate or payment of money or any other valuable consideration from the towing service or its owners, managers or employees to the owners or operators of the premises from which the vehicles are towed or removed, for the privilege of removing or towing those vehicles, is prohibited. Any individual who violates this paragraph shall be guilty of a Class A misdemeanor.

5. Except for property appurtenant to and obviously a part of a single family residence, and except for instances where notice is personally given to the owner or other legally authorized person in control of the vehicle that the area in which that vehicle is parked is reserved or otherwise unavailable to unauthorized vehicles and they are subject to being removed at the owner or operator's expense, any property owner or lessor, prior to towing or removing any vehicle from private property without the consent of the owner or other legally authorized person in control of that vehicle, must post a notice meeting the following requirements:

a. Except as otherwise provided in subparagraph a.1 of this subdivision (f)5, the notice must be prominently placed at each driveway access or curb cut allowing vehicular access to the property within 5 feet from the public right-of-way line. If there are no curbs or access barriers, the sign must be posted not less than one sign each 100 feet of lot frontage.

a.1. In a municipality with a population of less than 250,000, as an alternative to the requirement of subparagraph a of this subdivision (f)5, the notice for a parking lot contained within property used solely for a 2-family, 3-family, or 4-family residence may be prominently placed at the perimeter of the parking lot, in a position where the notice is visible to the occupants of vehicles entering the lot.

b. The notice must indicate clearly, in not less than 2 inch high light-reflective letters on a contrasting background, that unauthorized vehicles will be towed away at the owner's expense.

c. The notice must also provide the name and current telephone number of the towing service towing or removing the vehicle.

d. The sign structure containing the required notices must be permanently installed with the bottom of the sign not less than 4 feet above ground level, and must be continuously maintained on the property for not less than 24 hours prior to the towing or removing of any vehicle.

6. Any towing service that tows or removes vehicles and proposes to require the owner, operator, or person in control of the vehicle to pay the costs of towing and storage prior to redemption of the vehicle must file and keep on record with the local law enforcement agency a complete copy of the current rates to be charged for such services, and post at the storage site an identical rate schedule and any written contracts with property owners, lessors, or persons in control of property which authorize them to remove vehicles as provided in this Section. The towing and storage charges, however, shall not exceed the maximum allowed by the Illinois Commerce Commission under Section 18a-200.

7. No person shall engage in the removal of vehicles from private property as described in this Section without filing a notice of intent in each community where he intends to do such removal, and such notice shall be filed at least 7 days before commencing such towing.

8. No removal of a vehicle from private property shall be done except upon express written instructions of the owners or persons in charge of the private property upon which the vehicle is said to be trespassing. If the owner or other legally authorized person in control of a vehicle has an agreement with the owner or owner's agent of the property from which the vehicle was nonconsensually towed permitting the vehicle to be parked on the property, and the property owner or owner's agent fails to give personal notice of the tow to the owner or other legally authorized person in control of the vehicle, the property owner or owner's agent shall be liable to the owner or other legally authorized person in control of the vehicle for towing charges and storage charges accrued through release of the vehicle that were paid by or on behalf of the owner or other legally authorized person in control of the vehicle to secure the release of the vehicle.

9. Vehicle entry for the purpose of removal shall be allowed with reasonable care on the part of the person or firm towing the vehicle. Such person or firm shall be liable for any damages occasioned to the vehicle if such entry is not in accordance with the standards of reasonable care.

9.5. Except as authorized by a law enforcement officer, no towing service shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate by operating the vehicle under its own power on a highway.

10. When a vehicle has been towed or removed pursuant to this Section, it must be released to its owner, custodian, agent, or lienholder within one half hour after requested, if such request is made during business hours. Any vehicle owner, custodian, agent, or lienholder shall have the right to inspect the vehicle before accepting its return, and no release or waiver of any kind which would release the towing service from liability for damages incurred during the towing and storage may be required from any vehicle owner or other legally authorized person as a condition of release of the vehicle. A detailed, signed receipt showing the legal name of the towing service must be given to the person paying towing or storage charges at the time of payment, whether requested or not.

This Section shall not apply to law enforcement, firefighting, rescue, ambulance, or other emergency vehicles which are marked as such or to property owned by any governmental entity.

When an authorized person improperly causes a motor vehicle to be removed, such person shall be liable to the owner or lessee of the vehicle for the cost or removal, transportation and storage, any damages resulting from the removal, transportation and storage, attorney's fee and court costs.

Any towing or storage charges accrued shall be payable in cash or by cashier's check, certified check, debit card, credit card, or wire transfer, at the option of the party taking possession of the vehicle.

11. Towing companies shall also provide insurance coverage for areas where vehicles towed under the provisions of this Chapter will be impounded or otherwise stored, and shall adequately cover loss by fire, theft or other risks.

Any person who fails to comply with the conditions and restrictions of this subsection shall be guilty of a Class C misdemeanor and shall be fined not less than \$100 nor more than \$500.

(g)(1) When a vehicle is determined to be a hazardous dilapidated motor vehicle pursuant to Section 11-40-3.1 of the Illinois Municipal Code or Section 5-12002.1 of the Counties Code, its removal and impoundment by a towing service may be authorized by a law enforcement agency with appropriate jurisdiction.

(2) When a vehicle removal from either public or private property is authorized by a law enforcement agency, the owner of the vehicle shall be responsible for all towing and storage charges.

(3) Vehicles removed from public or private property and stored by a commercial vehicle relocater or any other towing service authorized by a law enforcement agency in compliance with this Section and Sections 4-201 and 4-202 of this Code, or at the request of the vehicle owner or operator, shall be subject to a possessor lien for services pursuant to the Labor and Storage Lien (Small Amount) Act. The provisions of Section 1 of that Act relating to notice and implied consent shall be deemed satisfied by compliance with Section 18a-302 and subsection (6) of Section 18a-300. In no event shall such lien be greater than the rate or rates established in accordance with subsection (6) of Section 18a-200 of this Code. In no event shall such lien be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Code. Every such lien shall be payable in cash or by cashier's check, certified check, debit card, credit card, or wire transfer, at the option of the party taking possession of the vehicle.

(4) Any personal property belonging to the vehicle owner in a vehicle subject to a lien under this subsection (g) shall likewise be subject to that lien, excepting only: child restraint systems as defined in Section 4 of the Child Passenger Protection Act and other child booster seats; eyeglasses; food; medicine; perishable property; any operator's licenses; any cash, credit cards, or checks or checkbooks; any wallet, purse, or other property containing any operator's license or other identifying documents or materials, cash, credit cards, checks, or checkbooks; and any personal property belonging to a person other than the vehicle owner if that person provides adequate proof that the personal property belongs to that person. The spouse, child, mother, father, brother, or sister of the vehicle owner may claim personal property excepted under this paragraph (4) if the person claiming the personal property provides the commercial vehicle relocater or towing service with the authorization of the vehicle owner.

(5) This paragraph (5) applies only in the case of a vehicle that is towed as a result of being involved in an accident. In addition to the personal property excepted under paragraph (4), all other personal property in a vehicle subject to a lien under this subsection (g) is exempt from that lien and may be claimed by the vehicle owner if the vehicle owner provides the commercial vehicle relocater or towing service with proof that the vehicle owner has an insurance policy covering towing and storage fees. The spouse, child, mother, father, brother, or sister of the vehicle owner may claim personal property in a vehicle subject to a lien under

this subsection (g) if the person claiming the personal property provides the commercial vehicle relocater or towing service with the authorization of the vehicle owner and proof that the vehicle owner has an insurance policy covering towing and storage fees. The regulation of liens on personal property and exceptions to those liens in the case of vehicles towed as a result of being involved in an accident are exclusive powers and functions of the State. A home rule unit may not regulate liens on personal property and exceptions to those liens in the case of vehicles towed as a result of being involved in an accident. This paragraph (5) is a denial and limitation of home rule powers and functions under subsection (h) of Section 6 of Article VII of the Illinois Constitution.

(6) No lien under this subsection (g) shall: exceed \$2,000 in its total amount; or be increased or altered to reflect any charge for services or materials rendered in addition to those authorized by this Code.

(h) Whenever a peace officer issues a citation to a driver for a violation of subsection (a) of Section 11-506 of this Code, the arresting officer may have the vehicle which the person was operating at the time of the arrest impounded for a period of 5 days after the time of arrest. An impounding agency shall release a motor vehicle impounded under this subsection (h) to the registered owner of the vehicle under any of the following circumstances:

(1) If the vehicle is a stolen vehicle; or

(2) If the person ticketed for a violation of subsection (a) of Section 11-506 of this Code was not authorized by the registered owner of the vehicle to operate the vehicle at the time of the violation; or

(3) If the registered owner of the vehicle was neither the driver nor a passenger in the vehicle at the time of the violation or was unaware that the driver was using the vehicle to engage in street racing; or

(4) If the legal owner or registered owner of the vehicle is a rental car agency; or

(5) If, prior to the expiration of the impoundment period specified above, the citation is dismissed or the defendant is found not guilty of the offense.

(i) Except for vehicles exempted under subsection (b) of Section 7-601 of this Code, whenever a law enforcement officer issues a citation to a driver for a violation of Section 3-707 of this Code, and the driver has a prior conviction for a violation of Section 3-707 of this Code in the past 12 months, the arresting officer shall authorize the removal and impoundment of the vehicle by a towing service.

(Source: P.A. 99-438, eff. 1-1-16; 100-311, eff. 11-23-17; 100-537, eff. 6-1-18; 100-863, eff. 8-14-18.)"

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 Martwick, **Senate Bill No. 3651** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 3652** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **Senate Bill No. 3667** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 3707** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Holmes, **Senate Bill No. 3737** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 3747** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3747**

AMENDMENT NO. 1 . Amend Senate Bill 3747 by deleting line 1 on page 3 through line 12 on page 5.

**AMENDMENT NO. 2 TO SENATE BILL 3747**

AMENDMENT NO. 2 . Amend Senate Bill 3747 by deleting line 4 on page 1 through line 26 on page 2; and

by replacing line 13 on page 5 through line 5 on page 14 with the following:

"Section 15. The Illinois Public Aid Code is amended by changing Section 9A-11 as follows:

(305 ILCS 5/9A-11) (from Ch. 23, par. 9A-11)

Sec. 9A-11. Child care.

(a) The General Assembly recognizes that families with children need child care in order to work. Child care is expensive and families with low incomes, including those who are transitioning from welfare to work, often struggle to pay the costs of day care. The General Assembly understands the importance of helping low-income working families become and remain self-sufficient. The General Assembly also believes that it is the responsibility of families to share in the costs of child care. It is also the preference of the General Assembly that all working poor families should be treated equally, regardless of their welfare status.

(b) To the extent resources permit, the Illinois Department shall provide child care services to parents or other relatives as defined by rule who are working or participating in employment or Department approved education or training programs. At a minimum, the Illinois Department shall cover the following categories of families:

(1) recipients of TANF under Article IV participating in work and training activities as specified in the personal plan for employment and self-sufficiency;

(2) families transitioning from TANF to work;

(3) families at risk of becoming recipients of TANF;

(4) families with special needs as defined by rule;

(5) working families with very low incomes as defined by rule;

(6) families that are not recipients of TANF and that need child care assistance to participate in education and training activities; ~~and~~

(7) foster parents or caregivers of youth in care as defined in Section 4d of the Children and Family Services Act, regardless of whether they are working or participating in Department-approved employment or education or training programs. Assistance provided under this paragraph shall be for the care of the youth in care;

(8) youth in care, as defined in Section 4d of the Children and Family Services Act, who are parents, regardless of whether they are working or participating in Department-approved employment or education or training programs. Any family that receives child care assistance in accordance with this paragraph shall receive one additional 12-month child care eligibility period after the parenting youth in care's case with the Department of Children and Family Services is closed, regardless of whether they are working or participating in Department-approved employment or education or training programs;

(9) parents who have custody of their children and their children are the subjects of pending cases under Article II of the Juvenile Court Act of 1987, regardless of whether they are working or participating in Department-approved employment or education or training programs. Any family that receives child care assistance in accordance with this paragraph shall remain eligible for child care assistance 6 months after the child's case under Article II of the Juvenile Court Act of 1987 is closed, regardless of whether the child's parents are working or participating in Department-approved employment or education or training programs;

(10) ~~(7)~~ families with children under the age of 5 who have an open intact family services case with the Department of Children and Family Services. Any family that receives child care assistance in accordance with this paragraph shall remain eligible for child care assistance 6 months after the child's intact family services case is closed, regardless of whether the child's parents or other relatives as defined by rule are working or participating in Department approved employment or education or training programs. The Department of Human Services, in consultation with the Department of



Children and Family Services, shall adopt rules to protect the privacy of families who are the subject of an open intact family services case when such families enroll in child care services. Additional rules shall be adopted to offer children who have an open intact family services case the opportunity to receive an Early Intervention screening and other services that their families may be eligible for as provided by the Department of Human Services; and -

(11) families receiving Extended Family Support Program services from the Department of Children and Family Services, regardless of whether they are working or participating in Department-approved employment or education or training programs.

The Department shall specify by rule the conditions of eligibility, the application process, and the types, amounts, and duration of services. Eligibility for child care benefits and the amount of child care provided may vary based on family size, income, and other factors as specified by rule.

The Department shall update the Child Care Assistance Program Eligibility Calculator posted on its website to include a question on whether a family is applying for child care assistance for the first time or is applying for a redetermination of eligibility.

A family's eligibility for child care services shall be redetermined no sooner than 12 months following the initial determination or most recent redetermination. During the 12-month periods, the family shall remain eligible for child care services regardless of (i) a change in family income, unless family income exceeds 85% of State median income, or (ii) a temporary change in the ongoing status of the parents or other relatives, as defined by rule, as working or attending a job training or educational program.

In determining income eligibility for child care benefits, the Department annually, at the beginning of each fiscal year, shall establish, by rule, one income threshold for each family size, in relation to percentage of State median income for a family of that size, that makes families with incomes below the specified threshold eligible for assistance and families with incomes above the specified threshold ineligible for assistance. Through and including fiscal year 2007, the specified threshold must be no less than 50% of the then-current State median income for each family size. Beginning in fiscal year 2008, the specified threshold must be no less than 185% of the then-current federal poverty level for each family size. Notwithstanding any other provision of law or administrative rule to the contrary, beginning in fiscal year 2019, the specified threshold for working families with very low incomes as defined by rule must be no less than 185% of the then-current federal poverty level for each family size. Notwithstanding any other provision of law or administrative rule to the contrary, beginning in State fiscal year 2022, the specified income threshold shall be no less than 200% of the then-current federal poverty level for each family size.

In determining eligibility for assistance, the Department shall not give preference to any category of recipients or give preference to individuals based on their receipt of benefits under this Code.

Nothing in this Section shall be construed as conferring entitlement status to eligible families.

The Illinois Department is authorized to lower income eligibility ceilings, raise parent co-payments, create waiting lists, or take such other actions during a fiscal year as are necessary to ensure that child care benefits paid under this Article do not exceed the amounts appropriated for those child care benefits. These changes may be accomplished by emergency rule under Section 5-45 of the Illinois Administrative Procedure Act, except that the limitation on the number of emergency rules that may be adopted in a 24-month period shall not apply.

The Illinois Department may contract with other State agencies or child care organizations for the administration of child care services.

(c) Payment shall be made for child care that otherwise meets the requirements of this Section and applicable standards of State and local law and regulation, including any requirements the Illinois Department promulgates by rule in addition to the licensure requirements promulgated by the Department of Children and Family Services and Fire Prevention and Safety requirements promulgated by the Office of the State Fire Marshal, and is provided in any of the following:

- (1) a child care center which is licensed or exempt from licensure pursuant to Section 2.09 of the Child Care Act of 1969;
- (2) a licensed child care home or home exempt from licensing;
- (3) a licensed group child care home;
- (4) other types of child care, including child care provided by relatives or persons living in the same home as the child, as determined by the Illinois Department by rule.

(c-5) Solely for the purposes of coverage under the Illinois Public Labor Relations Act, child and day care home providers, including licensed and license exempt, participating in the Department's child care assistance program shall be considered to be public employees and the State of Illinois shall be considered

to be their employer as of January 1, 2006 (the effective date of Public Act 94-320), but not before. The State shall engage in collective bargaining with an exclusive representative of child and day care home providers participating in the child care assistance program concerning their terms and conditions of employment that are within the State's control. Nothing in this subsection shall be understood to limit the right of families receiving services defined in this Section to select child and day care home providers or supervise them within the limits of this Section. The State shall not be considered to be the employer of child and day care home providers for any purposes not specifically provided in Public Act 94-320, including, but not limited to, purposes of vicarious liability in tort and purposes of statutory retirement or health insurance benefits. Child and day care home providers shall not be covered by the State Employees Group Insurance Act of 1971.

In according child and day care home providers and their selected representative rights under the Illinois Public Labor Relations Act, the State intends that the State action exemption to application of federal and State antitrust laws be fully available to the extent that their activities are authorized by Public Act 94-320.

(d) The Illinois Department shall establish, by rule, a co-payment scale that provides for cost sharing by families that receive child care services, including parents whose only income is from assistance under this Code. The co-payment shall be based on family income and family size and may be based on other factors as appropriate. Co-payments may be waived for families whose incomes are at or below the federal poverty level.

(d-5) The Illinois Department, in consultation with its Child Care and Development Advisory Council, shall develop a plan to revise the child care assistance program's co-payment scale. The plan shall be completed no later than February 1, 2008, and shall include:

(1) findings as to the percentage of income that the average American family spends on child care and the relative amounts that low-income families and the average American family spend on other necessities of life;

(2) recommendations for revising the child care co-payment scale to assure that families receiving child care services from the Department are paying no more than they can reasonably afford;

(3) recommendations for revising the child care co-payment scale to provide at-risk children with complete access to Preschool for All and Head Start; and

(4) recommendations for changes in child care program policies that affect the affordability of child care.

(e) (Blank).

(f) The Illinois Department shall, by rule, set rates to be paid for the various types of child care. Child care may be provided through one of the following methods:

(1) arranging the child care through eligible providers by use of purchase of service contracts or vouchers;

(2) arranging with other agencies and community volunteer groups for non-reimbursed child care;

(3) (blank); or

(4) adopting such other arrangements as the Department determines appropriate.

(f-1) Within 30 days after June 4, 2018 (the effective date of Public Act 100-587), the Department of Human Services shall establish rates for child care providers that are no less than the rates in effect on January 1, 2018 increased by 4.26%.

(f-5) (Blank).

(g) Families eligible for assistance under this Section shall be given the following options:

(1) receiving a child care certificate issued by the Department or a subcontractor of the Department that may be used by the parents as payment for child care and development services only; or

(2) if space is available, enrolling the child with a child care provider that has a purchase of service contract with the Department or a subcontractor of the Department for the provision of child care and development services. The Department may identify particular priority populations for whom they may request special consideration by a provider with purchase of service contracts, provided that the providers shall be permitted to maintain a balance of clients in terms of household incomes and families and children with special needs, as defined by rule.

(Source: P.A. 101-81, eff. 7-12-19; 101-657, eff. 3-23-21; 102-491, eff. 8-20-21; revised 11-8-21.); and

on page 20, by replacing lines 21 through 23 with the following:

"Section 99. Effective date. This Act takes effect upon becoming law, except that Section 15 takes effect on July 1, 2023."

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 Gillespie, **Senate Bill No. 3761** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Curran, **Senate Bill No. 3785** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3785**

AMENDMENT NO. 1 . Amend Senate Bill 3785 as follows:

on page 2, line 16, after "officer", by adding "or as a person employed by a participating municipality to perform administrative duties related to law enforcement"; and

on page 4, line 1, after "officer", by adding "or as a person employed by a participating municipality to perform administrative duties related to law enforcement".

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. 3793** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 3795** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3795**

AMENDMENT NO. 1 . Amend Senate Bill 3795 on page 12, line 15, after "may" by inserting "not".

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 Johnson, **Senate Bill No. 3845** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **Senate Bill No. 3853** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Johnson, **Senate Bill No. 3867** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3867**

AMENDMENT NO. 1 . Amend Senate Bill 3867 on page 2, line 4, after "veterans", by inserting "or active duty military personnel"; and

on page 3, line 18, after "veterans", by inserting "or active duty military personnel".

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. 3911** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Gillespie, **Senate Bill No. 3912** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **Senate Bill No. 3925** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3925**

AMENDMENT NO. 1. Amend Senate Bill 3925 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Human Services Professional Loan Repayment Program Act.

Section 5. Purpose. The purpose of the Human Services Professional Loan Repayment Program is to recruit and retain qualified direct service professionals to work for community-based human services providers. Due to numerous factors, human services agencies have a high turnover rate and struggle to maintain consistent staffing levels. Many of these positions require degrees in human services-related fields of study. In addition, most human services positions require a graduate degree or postsecondary degree or certification. The higher education requirements for the human services workforce often means that many students graduate with a high level of debt for a job that pays slightly above minimum wage with a great deal of stress and burnout.

Section 10. Definitions. In this Act:

"Commission" means the Illinois Student Assistance Commission.

"Eligible applicant" means a student who has graduated with a degree from an accredited college or university with an associate, bachelor's, or master's degree in a human services field or has been independently licensed as a licensed clinical social worker, a licensed clinical professional counselor, a licensed practitioner of the healing arts, a licensed marriage and family therapist, a board-certified behavior analyst, or a registered behavior technician.

"Professional" means a position funded by a grant or contract from a State agency for the purposes of providing direct or indirect services that ensure that individuals have the essential elements to build and maintain physical, emotional, and economic well-being at every phase of life.

"Program" means the Human Services Professional Loan Repayment Program.

"Qualified program" means a program that offers an associate, bachelor's, or master's degree in a human services field from an accredited college or university for the purpose of training and preparing students to be human services professionals.

"State agency" means the Department of Human Services, the Department of Children and Family Services, the Department of Juvenile Justice, the Department on Aging, and the Department of Public Health.

Section 15. Establishment of the Program. The Human Services Professional Loan Repayment Program is created and shall be administered by the Commission. Subject to appropriation, the Program shall provide loan repayment assistance to eligible direct service professionals practicing in a community-based, human services agency that contracts with or is grant-funded by a State agency.

Section 20. Applications. Each year for which funds have been appropriated, the Commission shall receive and consider applications for loan repayment assistance under this Act. All applications must be submitted to the Commission in a form and manner prescribed by the Commission. An eligible applicant must submit any supporting documents deemed necessary by the Commission at the time of application.

Section 25. Award; maximum loan time; maximum amount. The Commission shall award a grant to each eligible applicant for a cumulative maximum of 4 years. The recipient of a grant awarded by the Commission under this Act must use the grant award for payments toward the recipient's educational loans from a qualified program. The amount of the grant shall not exceed: (i) \$25,000 per year for a master's degree in human services or higher; (ii) \$15,000 per year for a bachelor's degree in human services; (iii) \$3,000 per year for a direct service worker with an associate degree; and (iv) up to a \$5,000 per year add-on if independently licensed as a licensed clinical social worker, a licensed clinical professional counselor, a licensed practitioner of the healing arts, a licensed marriage and family therapist, a board-certified behavior analyst, or a registered behavior technician.

Section 30. Eligibility; work requirement.

(a) To be eligible to receive a grant under the Human Services Professional Loan Repayment Program, the Commission must find that the eligible applicant satisfies all of the following:

(1) The applicant is a United States citizen or an eligible noncitizen.

(2) The applicant is a resident of the State of Illinois.

(3) The applicant has worked for at least 24 consecutive months as a full-time employee as a human services professional in a community-based human services agency that currently has or did have a contract with a State agency to provide human services during the duration of applicant's 24 consecutive month tenure.

(4) The applicant holds a degree from a qualified program.

(5) The applicant is a borrower with an outstanding balance due on an educational loan.

(6) The applicant has not defaulted on an educational loan.

(7) The applicant must remain a full-time employee as a human services professional in a community-based human services agency for at least 12 months after receiving this grant.

(b) If the recipient of this grant fails to maintain full-time employment in a community-based human services agency for at least 12 months after receiving the grant, the Commission shall require the recipient to begin to repay the total amount of the grant within 90 calendar days after notification of employment ending. The repayment amount shall be prorated according to the fraction of employment obligation not completed, at a rate of interest equal to 5%.

(c) If the recipient's employment at a community-based human services agency is terminated for any reason other than for cause, the recipient must search for, apply to, and accept new, qualified, full-time employment as a human services professional in a community-based human services agency within 90 calendar days from the recipient's termination of full-time employment, otherwise the stipend recipient is subject to the repayment of stipend funds to the Commission.

(d) If the recipient's employment at a community-based human services agency is terminated for cause, the recipient shall repay the total amount of the grant received under this program within 90 calendar days after termination of full-time employment. The amount of repayment owed by the recipient shall be prorated based on the amount of the employment requirement that has been satisfied.

The Commission may grant preference to a previous recipient of a grant under the Program, provided that the recipient continues to meet the eligibility requirements under this Section.

Section 35. Administration; rules. The Commission shall administer the Program and shall adopt rules not inconsistent with this Act for the Program's effective implementation.

Section 99. Effective date. This Act takes effect January 1, 2023."

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 Syverson, **Senate Bill No. 3954** having been printed, was taken up, read by title a second time.

[February 10, 2022]

Committee Amendment No. 1 was held in the Committee on Assignments. There being no further amendments, the bill was ordered to a third reading.

On motion of Senator Connor, **Senate Bill No. 3957** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pacione-Zayas, **Senate Bill No. 3986** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3986**

AMENDMENT NO. 1. Amend Senate Bill 3986 on page 1, line 10, after ""Diagnostic", by inserting "and screening"; and

on page 1, by replacing line 13 with "intervention, bilingual education, dyslexia services, or other related educational services. Any assessment used to"; and

on page 1, by replacing line 17 with "and screening purposes" includes the identification and"; and

on page 1, line 19, before "purposes" by inserting "and screening"; and

on page 2, line 10, after "diagnostic" by inserting "and screening"; and

on page 2, by replacing line 13 with "preparing to enroll in prekindergarten through grade 2, other than for diagnostic and screening purposes.".

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 Pacione-Zayas, **Senate Bill No. 3988** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3988**

AMENDMENT NO. 1. Amend Senate Bill 3988 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 21B-15 and 21B-20 as follows:  
(105 ILCS 5/21B-15)

Sec. 21B-15. Qualifications of educators.

(a) No one may be licensed to teach or supervise or be otherwise employed in the public schools of this State who is not of good character and at least 19 years of age, except as otherwise provided in subparagraph (J) of subsection (2) of Section 21B-20.

In determining good character under this Section, the State Superintendent of Education shall take into consideration the disciplinary actions of other states or national entities against certificates or licenses issued by those states and held by individuals from those states. In addition, any felony conviction of the applicant may be taken into consideration; however, no one may be licensed to teach or supervise in the public schools of this State who has been convicted of (i) an offense set forth in subsection (b) of Section 21B-80 of this Code until 7 years following the end of the sentence for the criminal offense or (ii) an offense set forth in subsection (c) of Section 21B-80 of this Code. Unless the conviction is for an offense set forth in Section 21B-80 of this Code, an applicant must be permitted to submit character references or other written material before such a conviction or other information regarding the applicant's character may be used by the State Superintendent of Education as a basis for denying the application.

(b) No person otherwise qualified shall be denied the right to be licensed or to receive training for the purpose of becoming an educator because of a physical disability, including, but not limited to, visual and

hearing disabilities; nor shall any school district refuse to employ a teacher on such grounds, provided that the person is able to carry out the duties of the position for which he or she applies.

(c) No person may be granted or continue to hold an educator license who has knowingly altered or misrepresented his or her qualifications, in this State or any other state, in order to acquire or renew the license. Any other license issued under this Article held by the person may be suspended or revoked by the State Educator Preparation and Licensure Board, depending upon the severity of the alteration or misrepresentation.

(d) No one may teach or supervise in the public schools nor receive for teaching or supervising any part of any public school fund who does not hold an educator license granted by the State Superintendent of Education as provided in this Article. However, the provisions of this Article do not apply to a member of the armed forces who is employed as a teacher of subjects in the Reserve Officers' Training Corps of any school, nor to an individual teaching a dual credit course as provided for in the Dual Credit Quality Act.

(e) Notwithstanding any other provision of this Code, the school board of a school district may grant to a teacher of the district a leave of absence with full pay for a period of not more than one year to permit the teacher to teach in a foreign state under the provisions of the Exchange Teacher Program established under Public Law 584, 79th Congress, and Public Law 402, 80th Congress, as amended. The school board granting the leave of absence may employ, with or without pay, a national of the foreign state wherein the teacher on the leave of absence is to teach if the national is qualified to teach in that foreign state and if that national is to teach in a grade level similar to the one that was taught in the foreign state. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt rules as may be necessary to implement this subsection (e).

(f) No person shall be denied a license issued under this Article solely based on his or her citizenship status or immigration status. The General Assembly finds and declares that this subsection (f) is a State law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code. Nothing in this subsection shall affect the requirements to obtain a license that are not directly related to citizenship status or immigration status. Nothing in this subsection shall be construed to grant eligibility for obtaining any public benefit other than a license issued under this Article.

(Source: P.A. 99-667, eff. 7-29-16; 100-13, eff. 7-1-17; 100-1078, eff. 1-1-19.)

(105 ILCS 5/21B-20)

Sec. 21B-20. Types of licenses. The State Board of Education shall implement a system of educator licensure, whereby individuals employed in school districts who are required to be licensed must have one of the following licenses: (i) a professional educator license; (ii) an educator license with stipulations; (iii) a substitute teaching license; or (iv) until June 30, 2023, a short-term substitute teaching license. References in law regarding individuals certified or certificated or required to be certified or certificated under Article 21 of this Code shall also include individuals licensed or required to be licensed under this Article. The first year of all licenses ends on June 30 following one full year of the license being issued.

The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, may adopt such rules as may be necessary to govern the requirements for licenses and endorsements under this Section.

(1) Professional Educator License. Persons who (i) have successfully completed an approved educator preparation program and are recommended for licensure by the Illinois institution offering the educator preparation program, (ii) have successfully completed the required testing under Section 21B-30 of this Code, (iii) have successfully completed coursework on the psychology of, the identification of, and the methods of instruction for the exceptional child, including without limitation children with learning disabilities, (iv) have successfully completed coursework in methods of reading and reading in the content area, and (v) have met all other criteria established by rule of the State Board of Education shall be issued a Professional Educator License. All Professional Educator Licenses are valid until June 30 immediately following 5 years of the license being issued. The Professional Educator License shall be endorsed with specific areas and grade levels in which the individual is eligible to practice. For an early childhood education endorsement, an individual may satisfy the student teaching requirement of his or her early childhood teacher preparation program through placement in a setting with children from birth through grade 2, and the individual may be paid and receive credit while student teaching. The student teaching experience must meet the requirements of and be approved by the individual's early childhood teacher preparation program.

Individuals can receive subsequent endorsements on the Professional Educator License. Subsequent endorsements shall require a minimum of 24 semester hours of coursework in the endorsement area and passage of the applicable content area test, unless otherwise specified by rule.

(2) Educator License with Stipulations. An Educator License with Stipulations shall be issued an endorsement that limits the license holder to one particular position or does not require completion of an approved educator program or both.

An individual with an Educator License with Stipulations must not be employed by a school district or any other entity to replace any presently employed teacher who otherwise would not be replaced for any reason.

An Educator License with Stipulations may be issued with the following endorsements:

(A) (Blank).

(B) Alternative provisional educator. An alternative provisional educator endorsement on an Educator License with Stipulations may be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a bachelor's degree.

(ii) Successfully completed the first phase of the Alternative Educator Licensure Program for Teachers, as described in Section 21B-50 of this Code.

(iii) Passed a content area test, as required under Section 21B-30 of this Code.

The alternative provisional educator endorsement is valid for 2 years of teaching and may be renewed for a third year by an individual meeting the requirements set forth in Section 21B-50 of this Code.

(C) Alternative provisional superintendent. An alternative provisional superintendent endorsement on an Educator License with Stipulations entitles the holder to serve only as a superintendent or assistant superintendent in a school district's central office. This endorsement may only be issued to an applicant who, at the time of applying for the endorsement, has done all of the following:

(i) Graduated from a regionally accredited college or university with a minimum of a master's degree in a management field other than education.

(ii) Been employed for a period of at least 5 years in a management level position in a field other than education.

(iii) Successfully completed the first phase of an alternative route to superintendent endorsement program, as provided in Section 21B-55 of this Code.

(iv) Passed a content area test required under Section 21B-30 of this Code.

The endorsement is valid for 2 fiscal years in order to complete one full year of serving as a superintendent or assistant superintendent.

(D) (Blank).

(E) Career and technical educator. A career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 60 semester hours of coursework from a regionally accredited institution of higher education or an accredited trade and technical institution and has a minimum of 2,000 hours of experience outside of education in each area to be taught.

The career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed.

An individual who holds a valid career and technical educator endorsement on an Educator License with Stipulations but does not hold a bachelor's degree may substitute teach in career and technical education classrooms.

(F) Part-time provisional career and technical educator or provisional career and technical educator. A part-time provisional career and technical educator endorsement or a provisional career and technical educator endorsement on an Educator License with Stipulations may be issued to an applicant who has a minimum of 8,000 hours of work experience in the skill for which the applicant is seeking the endorsement. It is the responsibility of each employing school board and regional office of education to provide verification, in writing, to the State Superintendent of Education at the time the application is submitted that no qualified teacher holding a Professional Educator License or an Educator License with Stipulations with a career



and technical educator endorsement is available and that actual circumstances require such issuance.

The provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed for 5 years.

A part-time provisional career and technical educator endorsement on an Educator License with Stipulations may be issued for teaching no more than 2 courses of study for grades 6 through 12. The part-time provisional career and technical educator endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed for 5 years if the individual makes application for renewal.

An individual who holds a provisional or part-time provisional career and technical educator endorsement on an Educator License with Stipulations but does not hold a bachelor's degree may substitute teach in career and technical education classrooms.

(G) Transitional bilingual educator. A transitional bilingual educator endorsement on an Educator License with Stipulations may be issued for the purpose of providing instruction in accordance with Article 14C of this Code to an applicant who provides satisfactory evidence that he or she meets all of the following requirements:

(i) Possesses adequate speaking, reading, and writing ability in the language other than English in which transitional bilingual education is offered.

(ii) Has the ability to successfully communicate in English.

(iii) Either possessed, within 5 years previous to his or her applying for a transitional bilingual educator endorsement, a valid and comparable teaching certificate or comparable authorization issued by a foreign country or holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

A transitional bilingual educator endorsement shall be valid for prekindergarten through grade 12, is valid until June 30 immediately following 5 years of the endorsement being issued, and shall not be renewed.

Persons holding a transitional bilingual educator endorsement shall not be employed to replace any presently employed teacher who otherwise would not be replaced for any reason.

(H) Language endorsement. In an effort to alleviate the shortage of teachers speaking a language other than English in the public schools, an individual who holds an Educator License with Stipulations may also apply for a language endorsement, provided that the applicant provides satisfactory evidence that he or she meets all of the following requirements:

(i) Holds a transitional bilingual endorsement.

(ii) Has demonstrated proficiency in the language for which the endorsement is to be issued by passing the applicable language content test required by the State Board of Education.

(iii) Holds a bachelor's degree or higher from a regionally accredited institution of higher education or, for individuals educated in a country other than the United States, holds a degree from an institution of higher learning in a foreign country that the State Educator Preparation and Licensure Board determines to be the equivalent of a bachelor's degree from a regionally accredited institution of higher learning in the United States.

(iv) (Blank).

A language endorsement on an Educator License with Stipulations is valid for prekindergarten through grade 12 for the same validity period as the individual's transitional bilingual educator endorsement on the Educator License with Stipulations and shall not be renewed.

(I) Visiting international educator. A visiting international educator endorsement on an Educator License with Stipulations may be issued to an individual who is being recruited by a particular school district that conducts formal recruitment programs outside of the United States to secure the services of qualified teachers and who meets all of the following requirements:

(i) Holds the equivalent of a minimum of a bachelor's degree issued in the United States.

(ii) Has been prepared as a teacher at the grade level for which he or she will be employed.

(iii) Has adequate content knowledge in the subject to be taught.

(iv) Has an adequate command of the English language.

A holder of a visiting international educator endorsement on an Educator License with Stipulations shall be permitted to teach in bilingual education programs in the language that was the medium of instruction in his or her teacher preparation program, provided that he or she passes the English Language Proficiency Examination or another test of writing skills in English identified by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board.

A visiting international educator endorsement on an Educator License with Stipulations is valid for 5 years and shall not be renewed.

(J) Paraprofessional educator. A paraprofessional educator endorsement on an Educator License with Stipulations may be issued to an applicant who holds a high school diploma or its recognized equivalent and (i) either holds an associate's degree or a minimum of 60 semester hours of credit from a regionally accredited institution of higher education; (ii) ~~or~~ has passed a paraprofessional competency test under subsection (c-5) of Section 21B-30; or (iii) is at least 18 years of age and will be using the Educator License with Stipulations exclusively for grades prekindergarten through grade 8, until the individual reaches the age of 19 years and otherwise meets the criteria for a paraprofessional educator endorsement pursuant to this subparagraph (J). The paraprofessional educator endorsement is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed through application and payment of the appropriate fee, as required under Section 21B-40 of this Code. An individual who holds only a paraprofessional educator endorsement is not subject to additional requirements in order to renew the endorsement.

(K) Chief school business official. A chief school business official endorsement on an Educator License with Stipulations may be issued to an applicant who qualifies by having a master's degree or higher, 2 years of full-time administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 24 semester hours of graduate credit in a program approved by the State Board of Education for the preparation of school business administrators and by passage of the applicable State tests, including an applicable content area test.

The chief school business official endorsement may also be affixed to the Educator License with Stipulations of any holder who qualifies by having a master's degree in business administration, finance, accounting, or public administration and who completes an additional 6 semester hours of internship in school business management from a regionally accredited institution of higher education and passes the applicable State tests, including an applicable content area test. This endorsement shall be required for any individual employed as a chief school business official.

The chief school business official endorsement on an Educator License with Stipulations is valid until June 30 immediately following 5 years of the endorsement being issued and may be renewed if the license holder completes renewal requirements as required for individuals who hold a Professional Educator License endorsed for chief school business official under Section 21B-45 of this Code and such rules as may be adopted by the State Board of Education.

The State Board of Education shall adopt any rules necessary to implement Public Act 100-288.

(L) Provisional in-state educator. A provisional in-state educator endorsement on an Educator License with Stipulations may be issued to a candidate who has completed an Illinois-approved educator preparation program at an Illinois institution of higher education and who has not successfully completed an evidence-based assessment of teacher effectiveness but who meets all of the following requirements:

(i) Holds at least a bachelor's degree.

(ii) Has completed an approved educator preparation program at an Illinois institution.

(iii) Has passed an applicable content area test, as required by Section 21B-30 of this Code.

(iv) Has attempted an evidence-based assessment of teacher effectiveness and received a minimum score on that assessment, as established by the State Board of Education in consultation with the State Educator Preparation and Licensure Board.

A provisional in-state educator endorsement on an Educator License with Stipulations is valid for one full fiscal year after the date of issuance and may not be renewed.

(M) (Blank).

(N) Specialized services. A specialized services endorsement on an Educator License with Stipulations may be issued as defined and specified by rule.

(3) Substitute Teaching License. A Substitute Teaching License may be issued to qualified applicants for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Substitute Teaching License must hold a bachelor's degree or higher from a regionally accredited institution of higher education.

Substitute Teaching Licenses are valid for 5 years.

Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked, then that individual is not eligible to obtain a Substitute Teaching License.

A substitute teacher may only teach in the place of a licensed teacher who is under contract with the employing board. If, however, there is no licensed teacher under contract because of an emergency situation, then a district may employ a substitute teacher for no longer than 30 calendar days per each vacant position in the district if the district notifies the appropriate regional office of education within 5 business days after the employment of the substitute teacher in the emergency situation. An emergency situation is one in which an unforeseen vacancy has occurred and (i) a teacher is unable to fulfill his or her contractual duties or (ii) teacher capacity needs of the district exceed previous indications, and the district is actively engaged in advertising to hire a fully licensed teacher for the vacant position.

There is no limit on the number of days that a substitute teacher may teach in a single school district, provided that no substitute teacher may teach for longer than 90 school days for any one licensed teacher under contract in the same school year. A substitute teacher who holds a Professional Educator License or Educator License with Stipulations shall not teach for more than 120 school days for any one licensed teacher under contract in the same school year. The limitations in this paragraph (3) on the number of days a substitute teacher may be employed do not apply to any school district operating under Article 34 of this Code.

A school district may not require an individual who holds a valid Professional Educator License or Educator License with Stipulations to seek or hold a Substitute Teaching License to teach as a substitute teacher.

(4) Short-Term Substitute Teaching License. Beginning on July 1, 2018 and until June 30, 2023, the State Board of Education may issue a Short-Term Substitute Teaching License. A Short-Term Substitute Teaching License may be issued to a qualified applicant for substitute teaching in all grades of the public schools, prekindergarten through grade 12. Short-Term Substitute Teaching Licenses are not eligible for endorsements. Applicants for a Short-Term Substitute Teaching License must hold an associate's degree or have completed at least 60 credit hours from a regionally accredited institution of higher education.

Short-Term Substitute Teaching Licenses are valid for substitute teaching in every county of this State. If an individual has had his or her Professional Educator License or Educator License with Stipulations suspended or revoked, then that individual is not eligible to obtain a Short-Term Substitute Teaching License.

The provisions of Sections 10-21.9 and 34-18.5 of this Code apply to short-term substitute teachers.

An individual holding a Short-Term Substitute Teaching License may teach no more than 5 consecutive days per licensed teacher who is under contract. For teacher absences lasting 6 or more days per licensed teacher who is under contract, a school district may not hire an individual holding a Short-Term Substitute Teaching License. An individual holding a Short-Term Substitute Teaching License must complete the training program under Section 10-20.67 or 34-18.60 of this Code to be eligible to teach at a public school. This paragraph (4) is inoperative on and after July 1, 2023.

(Source: P.A. 100-8, eff. 7-1-17; 100-13, eff. 7-1-17; 100-288, eff. 8-24-17; 100-596, eff. 7-1-18; 100-821, eff. 9-3-18; 100-863, eff. 8-14-18; 101-81, eff. 7-12-19; 101-220, eff. 8-7-19; 101-594, eff. 12-5-19; 101-643, eff. 6-18-20.)"

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 Pacione-Zayas, **Senate Bill No. 3990** having been printed, was taken up, read by title a second time.

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

**AMENDMENT NO. 1 TO SENATE BILL 3990**

AMENDMENT NO. 1 . Amend Senate Bill 3990 on page 2, line 12, after "students", by inserting "which includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school as described in paragraph (55)"; and

on page 2, line 17, after "schools", by inserting ", and includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school as described in paragraph (55)".

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 Pacione-Zayas, **Senate Bill No. 3991** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **Senate Bill No. 4000** having been printed, was taken up, read by title a second time.

Committee Amendment No. 1 was postponed in the Committee on Pensions.

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

**AMENDMENT NO. 2 TO SENATE BILL 4000**

AMENDMENT NO. 2 . Amend Senate Bill 4000, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Pension Code is amended by changing Section 17-149 as follows:

(40 ILCS 5/17-149) (from Ch. 108 1/2, par. 17-149)

Sec. 17-149. Cancellation of pensions.

(a) If any person receiving a disability retirement pension from the Fund is re-employed as a teacher by an Employer, the pension shall be cancelled on the date the re-employment begins, or on the first day of a payroll period for which service credit was validated, whichever is earlier.

(b) If any person receiving a service retirement pension from the Fund is re-employed as a teacher on a permanent or annual basis by an Employer, the pension shall be cancelled on the date the re-employment begins, or on the first day of a payroll period for which service credit was validated, whichever is earlier. However, subject to the limitations and requirements of ~~subsections (c-5), (c-6), and (c-7)~~, the pension shall not be cancelled in the case of a service retirement pensioner who is re-employed on a temporary and non-annual basis or on an hourly basis.

(c) If the date of re-employment on a permanent or annual basis occurs within 5 school months after the date of previous retirement, exclusive of any vacation period, the member shall be deemed to have been out of service only temporarily and not permanently retired. Such person shall be entitled to pension payments for the time he could have been employed as a teacher and received salary, but shall not be entitled to pension for or during the summer vacation prior to his return to service.

When the member again retires on pension, the time of service and the money contributed by him during re-employment shall be added to the time and money previously credited. Such person must acquire 3 consecutive years of additional contributing service before he may retire again on a pension at a rate and under conditions other than those in force or attained at the time of his previous retirement.

(c-5) For school years beginning on or after July 1, 2019 and before July 1, 2022, the service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher on a temporary and non-annual basis or on an hourly basis, so long as the person (1) does not work as a teacher for compensation on more than 120 days in a school year or (2) does not accept gross compensation for the re-employment in a school year in excess of (i) \$30,000 or (ii) in the case of a person who retires with at least 5 years of service as a principal, an amount that is equal to the daily rate normally paid to retired principals multiplied by 100. These limitations apply only to school years that begin on or after July 1, 2019 and before July 1, 2022. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

The service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher on a temporary and non-annual basis or on an hourly basis, so long as the person (1) does not work as a teacher for compensation on more than 100 days in a school year or (2) does not accept gross compensation for the re-employment in a school year in excess of (i) \$30,000 or (ii) in the case of a person who retires with at least 5 years of service as a principal, an amount that is equal to the daily rate normally paid to retired principals multiplied by 100. These limitations apply only to school years that begin on or after August 8, 2012 (the effective date of Public Act 97-912) and before July 1, 2019. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

Notwithstanding the 120-day limit set forth in item (1) of this subsection (c-5), the service retirement pension shall not be cancelled in the case of a service retirement pensioner who teaches only driver education courses after regular school hours and does not teach any other subject area, so long as the person does not work as a teacher for compensation for more than 900 hours in a school year. The \$30,000 limit set forth in subitem (i) of item (2) of this subsection (c-5) shall apply to a service retirement pensioner who teaches only driver education courses after regular school hours and does not teach any other subject area.

To be eligible for such re-employment without cancellation of pension, the pensioner must notify the Fund and the Board of Education of his or her intention to accept re-employment under this subsection (c-5) before beginning that re-employment (or if the re-employment began before the effective date of this amendatory Act, then within 30 days after that effective date).

An Employer must certify to the Fund the temporary and non-annual or hourly status and the compensation of each pensioner re-employed under this subsection at least quarterly, and when the pensioner is approaching the earnings limitation under this subsection.

If the pensioner works more than 100 days or accepts excess gross compensation for such re-employment in any school year that begins on or after August 8, 2012 (the effective date of Public Act 97-912), the service retirement pension shall thereupon be cancelled.

If the pensioner who only teaches drivers education courses after regular school hours works more than 900 hours or accepts excess gross compensation for such re-employment in any school year that begins on or after the effective date of this amendatory Act of the 99th General Assembly, the service retirement pension shall thereupon be cancelled.

If the pensioner works more than 120 days or accepts excess gross compensation for such re-employment in any school year that begins on or after July 1, 2019, the service retirement pension shall thereupon be cancelled.

The Board of the Fund shall adopt rules for the implementation and administration of this subsection.

(c-6) For school years beginning on or after July 1, 2022 and before July 1, 2024, the service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher or an administrator on a temporary and non-annual basis or on an hourly bases, so long as the person does not work as a teacher or an administrator for compensation on more than 140 days in a school year. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

(c-7) For school years beginning on or after July 1, 2024, the service retirement pension shall not be cancelled in the case of a service retirement pensioner who is re-employed as a teacher or an administrator on a temporary and non-annual basis or on an hourly basis, so long as the person does not work as a teacher or an administrator for compensation on more than 120 days in a school year. Such re-employment does not require contributions, result in service credit, or constitute active membership in the Fund.

(d) Notwithstanding Sections 1-103.1 and 17-157, the changes to this Section made by Public Act 90-32 apply without regard to whether termination of service occurred before the effective date of that Act and apply retroactively to August 23, 1989.

Notwithstanding Sections 1-103.1 and 17-157, the changes to this Section and Section 17-106 made by Public Act 92-599 apply without regard to whether termination of service occurred before the effective date of that Act.

Notwithstanding Sections 1-103.1 and 17-157, the changes to this Section made by this amendatory Act of the 97th General Assembly apply without regard to whether termination of service occurred before the effective date of this amendatory Act.

(Source: P.A. 101-340, eff. 8-9-19.)

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

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

On motion of Senator Belt, **Senate Bill No. 4001** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **Senate Bill No. 4006** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **Senate Bill No. 4053** having been printed, was taken up, read by title a second time and ordered to a third reading.

#### CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Connor moved that **Senate Resolution No. 755**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Connor moved that Senate Resolution No. 755 be adopted.

The motion prevailed.

And the resolution was adopted.

#### RESOLUTIONS CONSENT CALENDAR

##### SENATE RESOLUTION NO. 705

Offered by Senator Koehler and all Senators:

Mourns the death of Daniel Daly of Peoria.

##### SENATE RESOLUTION NO. 707

Offered by Senator McClure and all Senators:

Mourns the passing of Lorraine Little Jackson of Benld.

##### SENATE RESOLUTION NO. 708

Offered by Senator McClure and all Senators:

Mourns the death of Sister Marianna Kosior.

##### SENATE RESOLUTION NO. 711

Offered by Senator Anderson and all Senators:

Mourns the passing of Richard J. Mahieu, formerly of Moline.

##### SENATE RESOLUTION NO. 712

Offered by Senator Anderson and all Senators:

Mourns the passing of Benny Sweet of East Moline.

##### SENATE RESOLUTION NO. 713

Offered by Senator Anderson and all Senators:

[February 10, 2022]

Mourns the passing of Charles Kerofsky of Moline.

**SENATE RESOLUTION NO. 714**

Offered by Senator Anderson and all Senators:

Mourns the passing of William S. "Bill" Mueller of Colona.

**SENATE RESOLUTION NO. 715**

Offered by Senator Anderson and all Senators:

Mourns the passing of Duane L. Allison of East Moline.

**SENATE RESOLUTION NO. 716**

Offered by Senator Anderson and all Senators:

Mourns the passing of Melvin C. Staley of Milan.

**SENATE RESOLUTION NO. 717**

Offered by Senator Anderson and all Senators:

Mourns the death of Eugene Piersall of Colona.

**SENATE RESOLUTION NO. 718**

Offered by Senator Crowe and all Senators:

Mourns the death of Austin McEwen of Caseyville.

**SENATE RESOLUTION NO. 719**

Offered by Senator Lightford and all Senators:

Mourns the death of Marvella Humphrey.

**SENATE RESOLUTION NO. 720**

Offered by Senator Lightford and all Senators:

Mourns the death of Charles Anderson.

**SENATE RESOLUTION NO. 721**

Offered by Senator Lightford and all Senators:

Mourns the death of Sister Edna E. McNelty.

**SENATE RESOLUTION NO. 722**

Offered by Senator Lightford and all Senators:

Mourns the death of Mary Alice Johnson.

**SENATE RESOLUTION NO. 724**

Offered by Senator D. Turner and all Senators:

Mourns the death of Donald Brandon.

**SENATE RESOLUTION NO. 725**

Offered by Senator Crowe and all Senators:

Mourns the death of George Edward Snyder of Holiday Shores.

**SENATE RESOLUTION NO. 726**

Offered by Senator Crowe and all Senators:

Mourns the death of Susan Bird Doucleff.

**SENATE RESOLUTION NO. 727**

Offered by Senator Anderson and all Senators:

Mourns the death of Louis Fox of Moline.

**SENATE RESOLUTION NO. 728**

Offered by Senator Anderson and all Senators:

Mourns the passing of Don R. "Barney" Graham of Rock Island.

**SENATE RESOLUTION NO. 729**

Offered by Senator Anderson and all Senators:  
Mourns the death of Lawrence Bernard McManus of Taylor Ridge.

**SENATE RESOLUTION NO. 730**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Warrant Officer Cecil E. Hutson, U.S. Army (Ret.) of Rock Island.

**SENATE RESOLUTION NO. 731**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Jack William Frey of Rock Island.

**SENATE RESOLUTION NO. 732**

Offered by Senator Anderson and all Senators:  
Mourns the death of George L. Beeding Jr. of Rock Island.

**SENATE RESOLUTION NO. 733**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Bernard H. "Pete" Pearson Jr. of Silvis.

**SENATE RESOLUTION NO. 734**

Offered by Senator Anderson and all Senators:  
Mourns the passing of David R. "Dave" Schoeve of Moline.

**SENATE RESOLUTION NO. 735**

Offered by Senator Anderson and all Senators:  
Mourns the death of Patrick J. "Pat" Cavanagh of Port Byron.

**SENATE RESOLUTION NO. 736**

Offered by Senator Anderson and all Senators:  
Mourns the death of Jerry R. Daugherty Sr. of East Moline.

**SENATE RESOLUTION NO. 737**

Offered by Senator Bennett and all Senators:  
Mourns the death of Ellen Marie Goodner Russell of Danville.

**SENATE RESOLUTION NO. 738**

Offered by Senator McClure and all Senators:  
Mourns the passing of Theodore J. "Ted" Schlitt Jr. of Springfield.

**SENATE RESOLUTION NO. 739**

Offered by Senator McClure and all Senators:  
Mourns the death of Stanton Gralnick of Springfield.

**SENATE RESOLUTION NO. 740**

Offered by Senator McClure and all Senators:  
Mourns the passing of Dr. Joseph Jude Maurer of Springfield.

**SENATE RESOLUTION NO. 741**

Offered by Senator McClure and all Senators:  
Mourns the death of Vito Saputo Jr. of Springfield.

**SENATE RESOLUTION NO. 742**

Offered by Senator McClure and all Senators:



Mourns the passing of Wilbur H. Boehs of Jacksonville.

**SENATE RESOLUTION NO. 743**

Offered by Senator McClure and all Senators:

Mourns the death of Ralph "Edward" Cowman III of New Berlin.

**SENATE RESOLUTION NO. 744**

Offered by Senator McClure and all Senators:

Mourns the death of George Finley Veenstra of Springfield.

**SENATE RESOLUTION NO. 745**

Offered by Senator McClure and all Senators:

Mourns the death of Robert T. "Rob" Cassens, DMD of Auburn.

**SENATE RESOLUTION NO. 746**

Offered by Senator McClure and all Senators:

Mourns the passing of John Edward "Jack" Sankey Jr. of Springfield.

**SENATE RESOLUTION NO. 747**

Offered by Senator McClure and all Senators:

Mourns the passing of Lieutenant Colonel Bernard "Bernie" Goulet Sr. (Ret.) of Springfield.

**SENATE RESOLUTION NO. 748**

Offered by Senator Murphy and all Senators:

Mourns the death of Gary K. Warner of Park Ridge.

**SENATE RESOLUTION NO. 749**

Offered by Senator Morrison and all Senators:

Mourns the death of Dennis L. Wilson of Athens.

**SENATE RESOLUTION NO. 750**

Offered by Senator T. Cullerton and all Senators:

Mourns the passing of Jacqueline "Jaci" (Ferrone) Labahn of Evanston.

**SENATE RESOLUTION NO. 751**

Offered by Senator Harris and all Senators:

Mourns the death of Frank M. Zuccarelli of South Holland.

**SENATE RESOLUTION NO. 752**

Offered by Senator Bailey and all Senators:

Mourns the passing of Wayne County Sheriff's Deputy Sean Riley.

**SENATE RESOLUTION NO. 753**

Offered by Senator Crowe and all Senators:

Mourns the death of Floyd Arnold Langenwalter of Collinsville.

**SENATE RESOLUTION NO. 754**

Offered by Senator Crowe and all Senators:

Mourns the death of Mack Young Jr. of Wood River.

**SENATE RESOLUTION NO. 756**

Offered by Senator McClure and all Senators:

Mourns the passing of Jackie L. "Jack" Cummings of Loami.

**SENATE RESOLUTION NO. 758**

Offered by Senator Barickman and all Senators:

Mourns the death of Marilyn Ann Secor of Savoy.

**SENATE RESOLUTION NO. 760**

Offered by Senator Harmon and all Senators:  
Mourns the death of Bennett C. Weaver of Oak Park.

**SENATE RESOLUTION NO. 761**

Offered by Senator Harmon and all Senators:  
Mourns the death of Charles "Lanny" Lutz.

**SENATE RESOLUTION NO. 762**

Offered by Senator Harmon and all Senators:  
Mourns the death of William Chase.

**SENATE RESOLUTION NO. 763**

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

**SENATE RESOLUTION NO. 764**

Offered by Senator Harmon and all Senators:  
Mourns the passing of Carrie Bankes of Oak Park.

**SENATE RESOLUTION NO. 765**

Offered by Senator Harmon and all Senators:  
Mourns the passing of Martha "Marti" Morrow-Vojacek of Chicago.

**SENATE RESOLUTION NO. 766**

Offered by Senator Harmon and all Senators:  
Mourns the death of Joel B. Pedigo of Oak Park.

**SENATE RESOLUTION NO. 767**

Offered by Senator Harmon and all Senators:  
Mourns the passing of Shwuyi Leu, Ph.D. of Oak Park.

**SENATE RESOLUTION NO. 768**

Offered by Senator D. Turner and all Senators:  
Mourns the passing of Dennis E. Grant of Georgetown.

**SENATE RESOLUTION NO. 769**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Shomari Tau "Chee Chee" Page of Decatur.

**SENATE RESOLUTION NO. 770**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Mother Mary B. McKinney of Decatur.

**SENATE RESOLUTION NO. 771**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Efreem Jones of Decatur.

**SENATE RESOLUTION NO. 772**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Denysia Bastas of Springfield.

**SENATE RESOLUTION NO. 773**

Offered by Senator D. Turner and all Senators:

Mourns the passing of Hughetta C. Hill of Springfield.

**SENATE RESOLUTION NO. 775**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Stanley E. Weinstein of Rock Island.

**SENATE RESOLUTION NO. 776**

Offered by Senator Anderson and all Senators:  
Mourns the death of Wayne A. Forgie Sr. of Moline.

**SENATE RESOLUTION NO. 777**

Offered by Senator Anderson and all Senators:  
Mourns the death of David C. "Dave" Patterson of Moline.

**SENATE RESOLUTION NO. 778**

Offered by Senator Anderson and all Senators:  
Mourns the death of Donald R. Hartwig of Rock Island.

**SENATE RESOLUTION NO. 779**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Douglas R. "Doug" Baze of Moline.

**SENATE RESOLUTION NO. 780**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Dan Mason Haddock of Rock Island.

**SENATE RESOLUTION NO. 781**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Everett L. Paxton of Silvis.

**SENATE RESOLUTION NO. 782**

Offered by Senator Anderson and all Senators:  
Mourns the passing of William E. "Bill" Berry of East Moline.

**SENATE RESOLUTION NO. 783**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Rollie "Dave" McKittrick of Moline.

**SENATE RESOLUTION NO. 784**

Offered by Senator Anderson and all Senators:  
Mourns the death of John L. Angel of East Moline.

**SENATE RESOLUTION NO. 785**

Offered by Senator Anderson and all Senators:  
Mourns the death of Tony Esposito of Moline.

**SENATE RESOLUTION NO. 786**

Offered by Senator Anderson and all Senators:  
Mourns the death of James W. Needham of Rock Island.

**SENATE RESOLUTION NO. 789**

Offered by Senator Harmon and all Senators:  
Mourns the death of Joseph Miller of Maywood.

**SENATE RESOLUTION NO. 790**

Offered by Senator Harmon and all Senators:

Mourns the passing of Ryan Masi.

**SENATE RESOLUTION NO. 793**

Offered by Senator Koehler and all Senators:

Mourns the passing of George Metcalfe Johnson, M.D. of Peoria.

**SENATE RESOLUTION NO. 794**

Offered by Senator Glowiak Hilton and all Senators:

Mourns the death of Madeleine McAfee.

**SENATE RESOLUTION NO. 795**

Offered by Senator Tracy and all Senators:

Mourns the death of Roberta "Bobbie" Likes of Quincy.

**SENATE RESOLUTION NO. 796**

Offered by Senator D. Turner and all Senators:

Mourns the passing of Mary E. "Beth" Esela of Springfield.

**SENATE RESOLUTION NO. 797**

Offered by Senator McClure and all Senators:

Mourns the death of Deidre Nicole "Nadia" Silas of Springfield.

**SENATE RESOLUTION NO. 798**

Offered by Senator Barickman and all Senators:

Mourns the passing of Russell H. Pitch, D.D.S. of Paxton.

**SENATE RESOLUTION NO. 799**

Offered by Senator Barickman and all Senators:

Mourns the passing of Captain Jason Wade Hitch, formerly of Champaign-Urbana and Normal.

**SENATE RESOLUTION NO. 800**

Offered by Senator Koehler and all Senators:

Mourns the passing of Alfred James Hooks of Peoria.

**SENATE RESOLUTION NO. 801**

Offered by Senator D. Turner and all Senators:

Mourns the death of Jeanette C. "Jenny" Sgro of Springfield.

**SENATE RESOLUTION NO. 802**

Offered by Senator D. Turner and all Senators:

Mourns the passing of Thomas E. Cliff.

**SENATE RESOLUTION NO. 803**

Offered by Senator Crowe and all Senators:

Mourns the death of Mary Hausman of Bethalto.

**SENATE RESOLUTION NO. 804**

Offered by Senator Crowe and all Senators:

Mourns the passing of Joan F. Evers of Edwardsville.

**SENATE RESOLUTION NO. 805**

Offered by Senator Crowe and all Senators:

Mourns the passing of Robert "Bob" Goalby of Belleville.

**SENATE RESOLUTION NO. 806**

Offered by Senator Harmon and all Senators:

Mourns the death of Paul J. Weldon.

**SENATE RESOLUTION NO. 807**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Kathryn Cox.

**SENATE RESOLUTION NO. 808**

Offered by Senator Lightford and all Senators:  
Mourns the death of Shyree Pullen.

**SENATE RESOLUTION NO. 809**

Offered by Senator Bennett and all Senators:  
Mourns the death of Eric Jakobsson of Urbana.

**SENATE RESOLUTION NO. 810**

Offered by Senator Bennett and all Senators:  
Mourns the death of Ruth Josephine Youngerman of Champaign.

**SENATE RESOLUTION NO. 811**

Offered by Senator Bennett and all Senators:  
Mourns the passing of retired Professor Adriaan Jan de Witte of Urbana.

**SENATE RESOLUTION NO. 813**

Offered by Senator McConchie and all Senators:  
Mourns the passing of Richard L. Duchossois of Barrington Hills.

**SENATE RESOLUTION NO. 814**

Offered by Senator Crowe and all Senators:  
Mourns the death of Joseph J. "Joe" Davinroy Sr. of Smithton.

**SENATE RESOLUTION NO. 815**

Offered by Senator Crowe and all Senators:  
Mourns the passing of Michele R. Jarnagin of Granite City.

**SENATE RESOLUTION NO. 816**

Offered by Senator Bennett and all Senators:  
Mourns the death of M. Dennis Turner of Danville.

**SENATE RESOLUTION NO. 817**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Reverend Wayne E. Hamilton Sr. of Springfield.

**SENATE RESOLUTION NO. 818**

Offered by Senator D. Turner and all Senators:  
Mourns the death of Tamara Creviston.

**SENATE RESOLUTION NO. 819**

Offered by Senator Barickman and all Senators:  
Mourns the passing of Carl R. Meyer of Champaign.

**SENATE RESOLUTION NO. 821**

Offered by Senator D. Turner and all Senators:  
Mourns the passing of Deidre Nicole Silas of Springfield.

**SENATE RESOLUTION NO. 822**

Offered by Senator Harmon and all Senators:

Mourns the death of Robert J. Kuchler.

**SENATE RESOLUTION NO. 823**

Offered by Senator McClure and all Senators:  
Mourns the death of Ronald D. Ladley.

**SENATE RESOLUTION NO. 824**

Offered by Senator McClure and all Senators:  
Mourns the passing of Vernon LeRoy "Vern" Lytle of Pawnee.

**SENATE RESOLUTION NO. 825**

Offered by Senator Anderson and all Senators:  
Mourns the passing of Eugene Everard "Gene" Welch of Rock Island.

**SENATE RESOLUTION NO. 826**

Offered by Senator Anderson and all Senators:  
Mourns the death of Gregory D. Vogelsang of Rock Island.

**SENATE RESOLUTION NO. 827**

Offered by Senator Bennett and all Senators:  
Mourns the death of Clarence Shelley of Champaign.

The Chair moved the adoption of the Resolutions Consent Calendar.  
The motion prevailed, and the resolutions were adopted.

At the hour of 1:02 o'clock p.m., pursuant to **Senate Joint Resolution No. 41**, the Chair announced that the Senate stands adjourned until Tuesday, February 15, 2022, at 3:00 o'clock p.m.