



SENATE JOURNAL

STATE OF ILLINOIS

**ONE HUNDRED SECOND GENERAL
ASSEMBLY**

98TH LEGISLATIVE DAY

WEDNESDAY, MARCH 23, 2022

12:09 O'CLOCK P.M.

SENATE
Daily Journal Index
98th Legislative Day

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The Senate met pursuant to adjournment.
Senator David Koehler, Peoria, Illinois, presiding.
Prayer by Father George Pyle, St. Anthony's Greek Orthodox Church.
Senator Bennett led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, March 22, 2022, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

CDB Report of Correspondence with the USDVA, March 2022, submitted by the Capital Development Board.

2021 Report on Quarter Percent Sales Tax for Transportation and Public Safety, submitted by the Lake County Division of Transportation.

The foregoing reports were ordered received and placed on file with the Secretary's Office.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT DON HARMON STATE OF ILLINOIS

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

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

March 22, 2022

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

Dear Secretary Anderson:

Pursuant to Senate Rules 3-1(d) and 3-2(a), please be advised that I have made the following appointments, to be effective immediately, to the 102nd General Assembly Standing Committees:

ENERGY & PUBLIC UTILITIES

Senator Diane Pappas to fill the vacancy created by the resignation of Senator Tom Cullerton

INSURANCE

Senator Diane Pappas to fill the vacancy created by the resignation of Senator Tom Cullerton

STATE GOVERNMENT

Senator Patrick J. Joyce to fill the vacancy created by the resignation of Senator Tom Cullerton

TRANSPORTATION

Senator Diane Pappas to fill the vacancy created by the resignation of Senator Tom Cullerton

[March 23, 2022]

VETERANS AFFAIRS

Senator Antonio Munoz to serve as Chair to fill the vacancy created by the resignation of Senator Tom Cullerton

Senator Diane Pappas to serve as a member

If you have any questions, please contact my Chief of Staff Jake Butcher.

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader Dan McConchie

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 923

Offered by Senator Anderson and all Senators:
Mourns the death of Dan Majeski of Erie.

SENATE RESOLUTION NO. 924

Offered by Senator D. Turner and all Senators:
Mourns the passing of Patricia Jane "Pat" Oliver.

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

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

SENATE RESOLUTION NO. 925

WHEREAS, The future of our nation's productivity and competitiveness in the global marketplace depends on the success of all men and women; and

WHEREAS, Women have been discriminated against in education, the workplace, and society as a whole; and

WHEREAS, Nationally, women working full time and year round continue to earn no more than 83 cents on the dollar compared to men working full time and year round; and

WHEREAS, The wage gap is even greater for most women of color; Asian American and Pacific Islander women earn 75 cents on the dollar; Black women earn 58 cents on the dollar; Native American women earn 50 cents on the dollar; Latina women earn 49 cents on the dollar; and

WHEREAS, The pay gap has been shown to start as soon as one year after college; this inequality affects not only women but also their families and society as a whole; and

WHEREAS, The pay gap between women and men has long-term effects on women's economic security; such a gap affects women's Social Security earnings, their ability to save for retirement, and their children's education; and

WHEREAS, Pay equity is closely linked to the eradication of poverty and is essential to having a highly-motivated workforce; and

[March 23, 2022]

WHEREAS, Equal Pay Day was originated by the National Committee on Pay Equity in 1996 as a public awareness event to illustrate the gap between men's and women's wages; the day symbolizes how far into the year a woman must work, on average, to earn as much as a man earned the previous year, with Tuesday being the day in which women's wages catch up to men's wages from the previous week; because women earn less on average than men, they must work longer for the same amount of pay; this wage gap is even greater for most women of color; and

WHEREAS, Although Equal Pay Day represents all women, Asian American, Native Hawaiian, and Pacific Islander Women's Equal Pay Day is May 3, 2022, Black Women's Equal Pay Day is September 21, 2022, Native American Women's Equal Pay Day is November 30, 2022, and Latina Equal Pay Day is December 8, 2022; and

WHEREAS, Equal pay is a priority for all women and for our society at large; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare March 15, 2022 as Equal Pay Day in the State of Illinois in order to raise awareness about this endemic inequity.

REPORTS FROM STANDING COMMITTEES

Senator Belt, Chair of the Committee on Education, to which was referred **Senate Joint Resolution No. 52**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Joint Resolution No. 52** was placed on the Secretary's Desk.

Senator Belt, Chair of the Committee on Education, to which was referred **House Bills Numbered 3637, 4089, 4246, 4365, 4580, 4690, 4728, 4798, 4994, 5003, 5016, 5127, 5214, 5265 and 5506**, reported the same back with the recommendation that the bills do pass.

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

Senator Belt, Chair of the Committee on Education, to which was referred **House Bills Numbered 3296, 3573, 4256, 4257 and 4716**, 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 Stadelman, Chair of the Committee on Local Government, to which was referred **House Bills Numbered 4114, 5018, 5283 and 5316**, reported the same back with the recommendation that the bills do pass.

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

Senator Stadelman, Chair of the Committee on Local Government, to which was referred **House Bill No. 5184**, 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 Van Pelt, Chair of the Committee on Healthcare Access and Availability, to which was referred **House Bills Numbered 5014 and 5549**, reported the same back with the recommendation that the bills do pass.

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

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Senator Van Pelt, Chair of the Committee on Healthcare Access and Availability, to which was referred **House Bills Numbered 3949, 4589, 4645, 4998 and 4999**, 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 Peters, Chair of the Committee on Public Safety, to which was referred **House Bill No. 4165**, reported the same back with the recommendation that the bill do pass.

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

Senator Peters, Chair of the Committee on Public Safety, to which was referred **House Bill No. 3988**, 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 Villivalam, Chair of the Committee on Transportation, to which was referred **House Bills Numbered 107, 260, 3124, 4422, 4825, 4990, 5078, 5304, 5328 and 5400**, reported the same back with the recommendation that the bills do pass.

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

Senator Villivalam, Chair of the Committee on Transportation, to which was referred **House Bill No. 5026**, 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 Connor, Vice-Chair of the Committee on Judiciary, to which was referred **House Bill No. 4322**, reported the same back with the recommendation that the bill do pass.

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

Senator Connor, Vice-Chair of the Committee on Judiciary, to which was referred **House Bills Numbered 861 and 4170**, 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 Morrison, Chair of the Committee on Health, to which was referred **Senate Joint Resolution No. 47**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Joint Resolution No. 47** was placed on the Secretary's Desk.

Senator Morrison, Chair of the Committee on Health, to which was referred **House Bills Numbered 4304, 4343, 5064, 5196 and 5418**, reported the same back with the recommendation that the bills do pass.

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

Senator Morrison, Chair of the Committee on Health, to which was referred **House Bills Numbered 4242 and 4674**, 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 Bennett, Chair of the Committee on Higher Education, to which was referred **House Bills Numbered 4201, 4724 and 5175**, reported the same back with the recommendation that the bills do pass.

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

Senator Connor, Chair of the Committee on Criminal Law, to which was referred **House Bill No. 3465**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to House Bill 2985

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

Senator Fine, Chair of the Committee on Behavioral and Mental Health, to which was referred **House Bill No. 4306**, reported the same back with the recommendation that the bill do pass.

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

Senator Martwick, Chair of the Committee on Pensions, to which was referred **House Bills Numbered 4320, 4435, 4924 and 5295**, reported the same back with the recommendation that the bills do pass.

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

Senator Holmes, Chair of the Committee on Labor, to which was referred **House Bills Numbered 4245, 4251, 4316, 4604, 5225 and 5408**, reported the same back with the recommendation that the bills do pass.

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

Senator Holmes, Chair of the Committee on Labor, to which was referred **House Bill No. 1208**, 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.

APPOINTMENT MESSAGES

Appointment Message No. 1020372

To the Honorable Members of the Senate, One Hundred Second General Assembly:

I, Michael Frerichs, Treasurer, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Charitable Trust Stabilization Committee

Start Date: February 14, 2022

End Date: August 12, 2022

Name: Joan Dixon

[March 23, 2022]

Residence: 1809 Maynard Dr., Champaign, IL 61822

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Scott M. Bennett

Most Recent Holder of Office: Dorri McWhorter

Superseded Appointment Message: AM 99-580

Appointment Message No. 1020373

To the Honorable Members of the Senate, One Hundred Second General Assembly:

I, Michael Frerichs, Treasurer, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Charitable Trust Stabilization Committee

Start Date: August 13, 2022

End Date: August 13, 2028

Name: Joan Dixon

Residence: 1809 Maynard Dr., Champaign, IL 61822

Annual Compensation: Unsalariated

Per diem: Not Applicable

Nominee's Senator: Senator Scott M. Bennett

Most Recent Holder of Office: Joan Dixon

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Executive Appointments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 3757, sponsored by Senator Tracy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 4459, sponsored by Senator Tracy, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5256, sponsored by Senator Rezin, was taken up, read by title a first time and referred to the Committee on Assignments.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator McClure asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:41 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 1:54 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its March 23, 2022 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **House Bills Numbered 4556 and 4847.**

Education: **House Bills Numbered 4243 and 4813.**

Energy and Public Utilities: **House Bill No. 3125.**

Executive: **House Bill No. 5532.**

Financial Institutions: **Committee Amendment No. 1 to House Bill 4410.**

Insurance: **House Bill No. 5142.**

Judiciary: **House Bill No. 4270; Committee Amendment No. 1 to House Bill 2775.**

Licensed Activities: **House Bill No. 4715; Committee Amendment No. 1 to House Bill 4629; Committee Amendment No. 1 to House Bill 5575.**

Local Government: **House Bill No. 4461.**

Pensions: **House Bill No. 4677.**

Transportation: **House Bill No. 5496.**

Senator Cunningham, Vice-Chair of the Committee on Assignments, during its March 23, 2022 meeting, to which was referred **House Bill No. 17** on November 28, 2021, pursuant to Rule 3-9(b), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.

The report of the Committee was concurred in.

And **House Bill No. 17** was returned to the order of third reading.

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LEGISLATIVE MEASURES FILED

The following Floor amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

- Amendment No. 1 to House Bill 4306
- Amendment No. 2 to House Bill 4674
- Amendment No. 1 to House Bill 5196

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

- Amendment No. 2 to Senate Bill 3471

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

- Amendment No. 1 to House Bill 4116
- Amendment No. 1 to House Bill 4132
- Amendment No. 2 to House Bill 4281
- Amendment No. 1 to House Bill 5061
- Amendment No. 1 to House Bill 5496
- Amendment No. 1 to House Bill 5502

The following Committee amendments to the Senate Resolutions listed below have been filed with the Secretary and referred to the Committee on Assignments:

- Amendment No. 1 to Senate Resolution 828
- Amendment No. 1 to Senate Resolution 862

At the hour of 2:02 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 5:54 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 928

Offered by Senator Koehler and all Senators:
Mourns the death of Michael Earl Rabjohns.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

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

SENATE RESOLUTION NO. 926

WHEREAS, Illinois has over 1,300 fire departments that serve our citizens and communities; and

WHEREAS, The firefighters of Illinois dedicate their lives to protect and serve others through ensuring the general welfare of our lives and property, keeping our communities safe, helping prevent disaster, and providing emergency assistance; and

WHEREAS, Firefighters work selflessly while risking physical and mental injury and the possibility of the ultimate sacrifice of life; and

WHEREAS, During the COVID-19 pandemic, firefighters have served and continue to serve on the front lines to protect the safety and well-being of Illinoisans; and

WHEREAS, Firefighters constantly demonstrate bravery and sacrifice in protecting our homes, properties, and the lives of those we love; and

WHEREAS, International Firefighters Day honors the fearless men and women who not only run toward burning buildings and risk their own lives to save others but are often the first response when medical attention is required in our homes and businesses; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare May 4, 2022 as Firefighters Day in the State of Illinois to honor the fearless men and women who selflessly risk their lives to save others; and be it further

RESOLVED, That we thank current firefighters for their dedication to protecting the public and remember those who have died in the line of duty; and be it further

RESOLVED, That we recognize the families of firefighters for their endless sacrifices.

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

SENATE RESOLUTION NO. 927

WHEREAS, The Covid-19 pandemic has created a hidden epidemic of deferred care; and

WHEREAS, The widespread patient hesitancy to return to healthcare services combined with closed and limited availability of healthcare services during the pandemic has resulted in underdiagnosis and a gap in care, with missed opportunities to provide timely and appropriate treatments, consequently leading to increased chronic disability and mortality; and

WHEREAS, The long-term impact of the collateral negative effects of pandemic-related deferred care is staggering and may be felt for a generation; and

WHEREAS, A study reported in the New York Times found that blood pressure readings increased significantly from April 2020 through December 2020 compared with the same period in 2019; and

WHEREAS, Another study showed that while test volume for non-prescribed fentanyl fell during the early months of the pandemic and through 2020, the percentage of positive test results rose indicating that patients with Opioid Use Disorder were underdiagnosed during the early months of the pandemic and through 2020; and

WHEREAS, The pandemic has disrupted the utilization of women's preventive health services and may be associated with increased disparities in access to these services; a University of Michigan study found that rates of breast cancer screenings, cervical cancer screenings, and sexually transmitted infection screenings all significantly declined in 2020 compared with 2019; and

WHEREAS, Another study showed new diagnoses of eight common types of cancer declined by 46 percent during most of the first 13 months of the pandemic, and, according to data presented during the

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American Urological Association's 2021 Virtual Experience, weekly prostate cancer screening rates declined by as much as 43 percent during the COVID-19 pandemic; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare March of 2022 as Back to Care Month in the State of Illinois to educate and promote patients to return to a routine of preventative care and screening.

REPORTS FROM STANDING COMMITTEES

Senator Landek, Chair of the Committee on State Government, to which was referred **House Bills Numbered 568, 2991, 4070, 4261, 4362, 4493, 4568, 4811, 4821, 4986, 5015, 5041, 5185, 5186, 5187, 5188, 5190, 5191, 5192 and 5385**, 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 the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 1001

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 209, 4230, 4366, 4489, 4700, 4736, 5049, 5189 and 5501**, reported the same back with the recommendation that the bills do pass.

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

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 1780, 4430 and 5463**, 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 Castro, Chair of the Committee on Executive, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 625

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

Senator E. Jones III, Chair of the Committee on Licensed Activities, to which was referred **House Bills Numbered 4922 and 5576**, 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 **House Bills Numbered 4629, 4665 and 5575**, 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 **House Bills Numbered 2739, 4271, 4324, 4349, 4408, 4433, 4595, 4703, 4797, 4941, 5254, 5318, 5334 and 5585**, reported the same back with the recommendation that the bills 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 **House Bills Numbered 4313 and 4338**, 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 Hunter, Chair of the Committee on Revenue, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to Senate Bill 1146

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

Senator Ellman, Chair of the Committee on Financial Institutions, to which was referred **House Bills Numbered 4462 and 5220**, 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 **House Bill No. 4410**, 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.

APPOINTMENT MESSAGES

Appointment Message No. 1020374

To the Honorable Members of the Senate, One Hundred Second General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Liquor Control Commission

Start Date: March 21, 2022

End Date: February 1, 2028

Name: Thomas Gibbons

Residence: 10024 S. Leavitt St., Chicago, IL 60643

Annual Compensation: \$35,463 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Bill Cunningham

Most Recent Holder of Office: Thomas Gibbons

Superseded Appointment Message: Not Applicable

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Appointment Message No. 1020375

To the Honorable Members of the Senate, One Hundred Second General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Chair, State Panel

Agency or Other Body: Illinois Labor Relations Board

Start Date: March 21, 2022

End Date: January 24, 2026

Name: William Lowry

Residence: 1023 W. Vernon Park Pl., Apt. A., Chicago, IL 60607

Annual Compensation: \$108,680 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Patricia Van Pelt

Most Recent Holder of Office: William Lowry

Superseded Appointment Message: Not Applicable

Appointment Message No. 1020376

To the Honorable Members of the Senate, One Hundred Second General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Energy Transition Workforce Commission

Start Date: March 21, 2022

End Date: Not Applicable

Name: Paul Noble

Residence: 103 Winters Ln., Murphysboro, IL 62966

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Terri Bryant

[March 23, 2022]

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 1020377

To the Honorable Members of the Senate, One Hundred Second General Assembly:

I, JB Pritzker, Governor, am nominating and, having sought the advice of the Senate and by and with the consent of the Senate, appointing the following named individual to the office enumerated below. The consent of this Honorable Body is respectfully requested.

Title of Office: Associate Secretary, Chief Behavioral Health Officer

Agency or Other Body: Department of Human Services

Start Date: April 1, 2022

End Date: January 16, 2023

Name: David Jones

Residence: 904 Elgin Ave., Forest Park, IL 60130

Annual Compensation: \$156,200 per annum

Per diem: Not Applicable

Nominee's Senator: Senator Kimberly A. Lightford

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Executive Appointments.

Senator Hunter asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator McClure asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 6:08 o'clock p.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 6:58 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

[March 23, 2022]

HOUSE BILL RECALLED

On motion of Senator Collins, **House Bill No. 2985** was recalled from the order of third reading to the order of second reading.

Senator Collins offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 2985

AMENDMENT NO. 1 . Amend House Bill 2985 by replacing everything after the enacting clause with the following:

"Section 1. Short title; references to Act.

(a) Short title. This Act may be cited as the Murdered Children Funeral and Burial Assistance Act.

(b) References to Act. This Act may be referred to as the Mychal Moultry, Jr. Funeral and Burial Assistance Act.

Section 5. Purpose; findings.

(a) Gun violence is the leading cause of death for children and teenagers in Illinois.

(b) Parents and guardians who experience the death of a child by gun violence face the painful process of bereavement while also bearing the responsibilities of planning a funeral and paying for funeral and burial expenses, usually through some form of debt.

(c) While the State assists the families of murdered children with funeral and burial expenses, assistance is primarily in the form of a reimbursement to the family after a formal application is submitted. After submission, the application undergoes a lengthy evaluation process by a review committee and a subsequent hearing before an administrative court. The process takes months, even years, before a final decision is rendered, during which time the victim's family can incur an overwhelming amount of debt.

(d) This debt is particularly burdensome for low-income families, who struggle to repay the debt while continuing to provide for the family's basic needs. Many families rely on in-kind donations to support their basic needs while they work to pay off funeral and burial expenses.

(e) It is the intent of this Act to assist the families of children murdered in Illinois with funeral and burial expenses by having the State issue direct payments to funeral establishments and cemetery authorities instead of having the victim's family struggle to pay the cost and wait for reimbursement. Direct payments will enable families to secure burial rights and funeral and burial services and merchandise without enduring significant financial hardship and debt.

(f) This Act provides for expedited processing and payment of all disbursement requests for child victim funeral and burial expenses.

Section 10. Definitions. In this Act:

"Burial rights" means rights of internment, inurnment, or entombment.

"Cemetery authority" means any individual or legal entity that owns or controls cemetery lands or property that provides burial rights and burial services and merchandise to a child victim consistent with the Cemetery Oversight Act.

"Child victim" means a person under 17 years of age killed in this State by a firearm as a result of first degree murder, second degree murder, voluntary manslaughter of an unborn child, involuntary manslaughter, and involuntary manslaughter of an unborn child.

"Department" means the Department of Human Services.

"Eligible survivor" means the parent or guardian of a child victim, or anyone living in the household of a child victim in a relationship with the victim that is substantially similar to that of a parent, who has a household income of less than 150% of the federal poverty level, qualifies for payment of funeral and burial expenses under this Act, and has or shares the authority to direct the disposition of the remains of the victim pursuant to the Disposition of Remains Act.

"Funeral and burial expenses" means expenses that include, but are not limited to, the transport of deceased human remains to a funeral establishment; the preparation of deceased human remains for burial, including cleaning, disinfecting, and embalming; the preparation, direction, and supervision of the burial, cremation, or other disposition of deceased human remains, including furnishing a casket, vault, mausoleum, columbarium, or urn; the administration of funeral arrangements, including providing printed materials, providing transportation of the deceased human remains to the burial site, and furnishing

necessary facilities and equipment; and any other service related to the carrying out of funeral or burial services that the Department may allow, if consistent with the law, up to the total allowable amount of disbursement under Section 40.

"Funeral establishment" means a State-licensed funeral home, funeral chapel, funeral parlor, or other business that provides funeral and burial services to a child victim.

Section 15. Felon as victim or survivor. An eligible survivor's or child victim's criminal history or felony status shall not automatically prevent an award for payment of the child victim's funeral and burial expenses.

Section 20. Additional powers; Department of Human Services. In addition to other powers and duties set forth in this Act and other powers exercised by the Department, the Department shall conduct a review of disbursement requests submitted by a funeral establishment or cemetery authority, which includes verification of the eligible survivor's household income, verification of the child victim's death certificate, and a review of the statement of goods and services provided by the funeral establishment or cemetery authority. Upon conclusion of the review, the Department shall provide the funeral establishment or cemetery authority with a payment determination letter. The Department shall disburse payment to a funeral establishment or cemetery authority.

Section 25. Right to disbursement.

(a) With respect to the provision of burial rights and funeral and burial services and merchandise within the applicable scope of practice, a funeral establishment or cemetery authority is entitled to a disbursement under this Act if within one year of the occurrence of the crime upon which a disbursement request is made, the funeral establishment or cemetery authority submits the request to the Department on a form prescribed in accordance with Section 30 as furnished by the Department.

(b) The Department may accept a request presented after the period provided in subsection (a) if it determines that the funeral establishment or cemetery authority had a good cause for a delay.

Section 30. Disbursement request requirements.

(a) A disbursement request shall include:

- (1) the name and address of the eligible survivor and his or her relationship to the child victim;
- (2) the date and nature of the crime on which the disbursement request is based;
- (3) the nature and extent of the injuries sustained by the child victim, and the names and addresses of those giving any medical and hospitalization treatment to the child victim;
- (4) a copy of the child victim's death certificate;
- (5) an affidavit of facts of death;
- (6) documentation verifying an eligible survivor's household income;
- (7) a copy of the invoice detailing funeral and burial expenses, including any applicable taxes, surcharges, and fees;
- (8) releases authorizing the surrender to the Department of reports, documents and other information relating to matters specified under this Act and rules adopted in accordance with this Act; and
- (9) such other information as the Department reasonably requires.

(b) The Department may require that materials substantiating the facts stated in the disbursement request be submitted with that request.

(c) A funeral establishment or cemetery authority, on its own volition, may file an amended request or additional substantiating materials to correct inadvertent errors or omissions at any time before the original request has been disposed of by the Department. In either case, the filing of additional information or of an amended request shall be considered for the purpose of this Act to have been filed at the same time as the original request.

Section 35. Additional materials requested. If a funeral establishment or cemetery authority does not submit all materials substantiating its disbursement request as requested by the Department, the Department shall notify the establishment in writing of the specific additional items of information or materials required and that it has 30 days in which to furnish those items to the Department. No disbursement shall be made for any portion of the request from a funeral establishment or cemetery authority that is not substantiated by the

establishment or authority. An establishment or authority may request an extension of time from the Department prior to the expiration of the 30-day period.

Section 40. Amount of disbursement.

(a) The total amount of disbursement for funeral and burial expenses for a child victim shall be no more than \$10,000, to be apportioned between the funeral establishment and cemetery authority by those eligible survivors authorized to direct the disposition of remains pursuant to the Disposition of Remains Act.

(b) Upon submitting a disbursement request to the Department, and upon the Department's review of such request verifying that a survivor is an eligible survivor, a funeral establishment and cemetery authority shall each receive disbursement from the Department in the amount of the total cost of burial rights and funeral services and merchandise provided, up to the allocation amount. The Department shall process all payment vouchers within 30 days of submission of a complete disbursement request, and shall pay all such vouchers within 30 days of receipt. All disbursement requests that are not paid within 60 days shall thereafter accrue interest at the rate set by the Prompt Payment Act.

(c) Beginning on July 1, 2024, the maximum allowable disbursement amount shall be increased each year by an amount equal to any increase in the general inflation, as determined by the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982-84 = 100.

Section 45. Prohibition against double payment; recordkeeping; payment recapture.

(a) If any funeral and burial expenses are paid under this Act, no award for such assistance shall be granted to any party in relation to funeral and burial expenses for the same child victim under the Crime Victims Compensation Act or the Department of Human Services Funeral and Burial Benefits Program.

(b) No person or entity receiving assistance under this Act shall receive or retain a duplicate award for funeral and burial expenses for a child victim from any State agency or agencies. For the purposes of this Section, a duplicate award is one that results in a total award from the State for the cost of funeral and burial expenses for a child victim in excess of that authorized by the Department. To prevent such duplicate awards, the Department shall maintain an electronic record of each disbursement to a funeral establishment or cemetery authority and provide access to such records to any State agency providing funeral or burial assistance to Illinois residents.

(c) The Department is authorized to contract with third-party entities to conduct payment recapture audits to detect and recapture payments made in error or as a result of fraud or abuse. A payment recapture audit shall include the process of identifying improper payments paid to a funeral establishment or cemetery authority or to an eligible survivor whereby accounting specialists examine payment records and uncover duplicate payments, payments for services not rendered, overpayments, payments for unauthorized services, and fictitious vendors. This audit may include the use of professional and specialized auditors on a contingency basis, with compensation tied to the identification of misspent funds.

Section 50. Notice to public of available assistance.

(a) The Department shall develop a brochure informing the public of the existence of funeral and burial assistance for the families of murdered children under this Act and make the brochure available on its website.

(b) Any law enforcement agency that investigates an offense committed in this State shall inform the parent or guardian of the child victim concerning the availability of assistance for funeral and burial expenses under this Act and advise such persons that any information concerning this Act may be obtained from the Department.

Section 900. The Illinois Public Aid Code is amended by adding Section 12-4.11-5 as follows:

(305 ILCS 5/12-4.11-5 new)

Sec. 12-4.11-5. Murdered Children Funeral and Burial Assistance Program. The Department of Human Services shall by rule administer the Murdered Children Funeral and Burial Assistance Program. Eligibility for the Murdered Children Funeral and Burial Assistance Program shall be limited to those individuals as described in the Murdered Children Funeral and Burial Assistance Act.

Beginning July 1, 2023, the Department of Human Services shall make eligibility determinations for the Murdered Children Funeral and Burial Assistance Program and, subject to appropriation, shall make

disbursements for eligible cases to a funeral establishment or cemetery authority as provided under the Murdered Children Funeral and Burial Assistance Act.

Section 999. 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 bill, as amended, was ordered to a third reading.

READING BILL FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Collins, **House Bill No. 2985** having been printed as received from the House of Representatives, together with all Senate Amendments adopted thereto, was taken up and read by title a third time.

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

YEAS 40; NAYS None.

The following voted in the affirmative:

| | | | |
|-------------|----------------|-----------------|---------------|
| Aquino | Gillespie | Loughran Cappel | Turner, D. |
| Belt | Glowiak Hilton | Martwick | Van Pelt |
| Bennett | Harris | Morrison | Villa |
| Bush | Hastings | Muñoz | Villanueva |
| Castro | Holmes | Murphy | Villivalam |
| Collins | Hunter | Pacione-Zayas | Wilcox |
| Connor | Johnson | Pappas | Mr. President |
| Cunningham | Jones, E. | Peters | |
| Ellman | Joyce | Simmons | |
| Feigenholtz | Koehler | Sims | |
| Fine | Landek | Stadelman | |

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

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator D. Turner, **House Bill No. 3850** was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

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

AMENDMENT NO. 2 TO HOUSE BILL 3850

AMENDMENT NO. 2. Amend House Bill 3850 by replacing everything after the enacting clause with the following:

"Section 1. This Act may be referred to as the Knight-Silas Legacy Act.

Section 5. The Criminal Code of 2012 is amended by changing Section 12-3.05 as follows:
(720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

Sec. 12-3.05. Aggravated battery.

(a) Offense based on injury. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she knowingly does any of the following:

(1) Causes great bodily harm or permanent disability or disfigurement.

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(2) Causes severe and permanent disability, great bodily harm, or disfigurement by means of a caustic or flammable substance, a poisonous gas, a deadly biological or chemical contaminant or agent, a radioactive substance, or a bomb or explosive compound.

(3) Causes great bodily harm or permanent disability or disfigurement to an individual whom the person knows to be a peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:

- (i) performing his or her official duties;
- (ii) battered to prevent performance of his or her official duties; or
- (iii) battered in retaliation for performing his or her official duties.

(3.1) Is, at the time of the commission of the offense, 21 years of age or older and causes great bodily harm or permanent disability or disfigurement to an individual whom the person knows to be a Department of Children and Family Services employee:

- (i) performing his or her official duties;
- (ii) battered to prevent performance of his or her official duties; or
- (iii) battered in retaliation for performing his or her official duties.

(4) Causes great bodily harm or permanent disability or disfigurement to an individual 60 years of age or older.

(5) Strangles another individual.

(b) Offense based on injury to a child or person with an intellectual disability. A person who is at least 18 years of age commits aggravated battery when, in committing a battery, he or she knowingly and without legal justification by any means:

(1) causes great bodily harm or permanent disability or disfigurement to any child under the age of 13 years, or to any person with a severe or profound intellectual disability; or

(2) causes bodily harm or disability or disfigurement to any child under the age of 13 years or to any person with a severe or profound intellectual disability.

(c) Offense based on location of conduct. A person commits aggravated battery when, in committing a battery, other than by the discharge of a firearm, he or she is or the person battered is on or about a public way, public property, a public place of accommodation or amusement, a sports venue, or a domestic violence shelter, or in a church, synagogue, mosque, or other building, structure, or place used for religious worship.

(d) Offense based on status of victim. A person commits aggravated battery when, in committing a battery, other than by discharge of a firearm, he or she knows the individual battered to be any of the following:

(1) A person 60 years of age or older.

(2) A person who is pregnant or has a physical disability.

(3) A teacher or school employee upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(4) A peace officer, community policing volunteer, fireman, private security officer, correctional institution employee, or Department of Human Services employee supervising or controlling sexually dangerous persons or sexually violent persons:

- (i) performing his or her official duties;
- (ii) battered to prevent performance of his or her official duties; or
- (iii) battered in retaliation for performing his or her official duties.

(4.1)(A) A Department of Children and Family Services employee:

- (i) performing his or her official duties;
- (ii) battered to prevent performance of his or her official duties; or
- (iii) battered in retaliation for performing his or her official duties; and

(B) the person committing the offense, at the time of the commission of the offense, is 21 years of age or older.

(5) A judge, emergency management worker, emergency medical services personnel, or utility worker:

- (i) performing his or her official duties;
- (ii) battered to prevent performance of his or her official duties; or
- (iii) battered in retaliation for performing his or her official duties.

(6) An officer or employee of the State of Illinois, a unit of local government, or a school district, while performing his or her official duties.

(7) A transit employee performing his or her official duties, or a transit passenger.

(8) A taxi driver on duty.

(9) A merchant who detains the person for an alleged commission of retail theft under Section 16-26 of this Code and the person without legal justification by any means causes bodily harm to the merchant.

(10) A person authorized to serve process under Section 2-202 of the Code of Civil Procedure or a special process server appointed by the circuit court while that individual is in the performance of his or her duties as a process server.

(11) A nurse while in the performance of his or her duties as a nurse.

(12) A merchant: (i) while performing his or her duties, including, but not limited to, relaying directions for healthcare or safety from his or her supervisor or employer or relaying health or safety guidelines, recommendations, regulations, or rules from a federal, State, or local public health agency; and (ii) during a disaster declared by the Governor, or a state of emergency declared by the mayor of the municipality in which the merchant is located, due to a public health emergency and for a period of 6 months after such declaration.

(e) Offense based on use of a firearm. A person commits aggravated battery when, in committing a battery, he or she knowingly does any of the following:

(1) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to another person.

(2) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee, or emergency management worker:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(3) Discharges a firearm, other than a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be emergency medical services personnel:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(4) Discharges a firearm and causes any injury to a person he or she knows to be a teacher, a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(5) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to another person.

(6) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a peace officer, community policing volunteer, person summoned by a police officer, fireman, private security officer, correctional institution employee or emergency management worker:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(7) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be emergency medical services personnel:

(i) performing his or her official duties;

(ii) battered to prevent performance of his or her official duties; or

(iii) battered in retaliation for performing his or her official duties.

(8) Discharges a machine gun or a firearm equipped with a silencer, and causes any injury to a person he or she knows to be a teacher, or a student in a school, or a school employee, and the teacher, student, or employee is upon school grounds or grounds adjacent to a school or in any part of a building used for school purposes.

(f) Offense based on use of a weapon or device. A person commits aggravated battery when, in committing a battery, he or she does any of the following:

(1) Uses a deadly weapon other than by discharge of a firearm, or uses an air rifle as defined in Section 24.8-0.1 of this Code.

(2) Wears a hood, robe, or mask to conceal his or her identity.

(3) Knowingly and without lawful justification shines or flashes a laser gunsight or other laser device attached to a firearm, or used in concert with a firearm, so that the laser beam strikes upon or against the person of another.

(4) Knowingly video or audio records the offense with the intent to disseminate the recording.

(g) Offense based on certain conduct. A person commits aggravated battery when, other than by discharge of a firearm, he or she does any of the following:

(1) Violates Section 401 of the Illinois Controlled Substances Act by unlawfully delivering a controlled substance to another and any user experiences great bodily harm or permanent disability as a result of the injection, inhalation, or ingestion of any amount of the controlled substance.

(2) Knowingly administers to an individual or causes him or her to take, without his or her consent or by threat or deception, and for other than medical purposes, any intoxicating, poisonous, stupefying, narcotic, anesthetic, or controlled substance, or gives to another person any food containing any substance or object intended to cause physical injury if eaten.

(3) Knowingly causes or attempts to cause a correctional institution employee or Department of Human Services employee to come into contact with blood, seminal fluid, urine, or feces by throwing, tossing, or expelling the fluid or material, and the person is an inmate of a penal institution or is a sexually dangerous person or sexually violent person in the custody of the Department of Human Services.

(h) Sentence. Unless otherwise provided, aggravated battery is a Class 3 felony.

Aggravated battery as defined in subdivision (a)(4), (d)(4), (d)(4.1), or (g)(3) is a Class 2 felony.

Aggravated battery as defined in subdivision (a)(3), (a)(3.1), or (g)(1) is a Class 1 felony.

Aggravated battery as defined in subdivision (a)(1) is a Class 1 felony when the aggravated battery was intentional and involved the infliction of torture, as defined in paragraph (14) of subsection (b) of Section 9-1 of this Code, as the infliction of or subjection to extreme physical pain, motivated by an intent to increase or prolong the pain, suffering, or agony of the victim.

Aggravated battery as defined in subdivision (a)(1) is a Class 2 felony when the person causes great bodily harm or permanent disability to an individual whom the person knows to be a member of a congregation engaged in prayer or other religious activities at a church, synagogue, mosque, or other building, structure, or place used for religious worship.

Aggravated battery under subdivision (a)(5) is a Class 1 felony if:

(A) the person used or attempted to use a dangerous instrument while committing the offense;

(B) the person caused great bodily harm or permanent disability or disfigurement to the other person while committing the offense; or

(C) the person has been previously convicted of a violation of subdivision (a)(5) under the laws of this State or laws similar to subdivision (a)(5) of any other state.

Aggravated battery as defined in subdivision (e)(1) is a Class X felony.

Aggravated battery as defined in subdivision (a)(2) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 6 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(5) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 12 years and a maximum of 45 years.

Aggravated battery as defined in subdivision (e)(2), (e)(3), or (e)(4) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 15 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (e)(6), (e)(7), or (e)(8) is a Class X felony for which a person shall be sentenced to a term of imprisonment of a minimum of 20 years and a maximum of 60 years.

Aggravated battery as defined in subdivision (b)(1) is a Class X felony, except that:

(1) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(2) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(3) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(i) Definitions. In this Section:

"Building or other structure used to provide shelter" has the meaning ascribed to "shelter" in Section 1 of the Domestic Violence Shelters Act.

"Department of Children and Family Services employee" includes any Department case worker or investigator employed by an agency or organization providing social work, case work, or investigative services under a contract with or a grant from the Department of Children and Family Services.

"Domestic violence" has the meaning ascribed to it in Section 103 of the Illinois Domestic Violence Act of 1986.

"Domestic violence shelter" means any building or other structure used to provide shelter or other services to victims or to the dependent children of victims of domestic violence pursuant to the Illinois Domestic Violence Act of 1986 or the Domestic Violence Shelters Act, or any place within 500 feet of such a building or other structure in the case of a person who is going to or from such a building or other structure.

"Firearm" has the meaning provided under Section 1.1 of the Firearm Owners Identification Card Act, and does not include an air rifle as defined by Section 24.8-0.1 of this Code.

"Machine gun" has the meaning ascribed to it in Section 24-1 of this Code.

"Merchant" has the meaning ascribed to it in Section 16-0.1 of this Code.

"Strangle" means intentionally impeding the normal breathing or circulation of the blood of an individual by applying pressure on the throat or neck of that individual or by blocking the nose or mouth of that individual.

(Source: P.A. 101-223, eff. 1-1-20; 101-651, eff. 8-7-20.).

The motion prevailed.

And the amendment was adopted and ordered printed.

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

On motion of Senator Feigenholtz, **House Bill No. 4158** was taken up, read by title a second time.

Committee Amendment No. 1 was held in the Committee on Assignments.

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

AMENDMENT NO. 2 TO HOUSE BILL 4158

AMENDMENT NO. 2. Amend House Bill 4158 on page 1, line 5, by replacing "Section 1-30" with "Sections 1-30 and 1-90"; and

on page 5, immediately below line 15, by inserting the following:

"(765 ILCS 160/1-90)

(Section scheduled to be repealed on July 1, 2022)

Sec. 1-90. Compliance with the Condominium and Common Interest Community Ombudsperson Act. Every common interest community association, except for those exempt from this Act under Section 1-75, must comply with the Condominium and Common Interest Community Ombudsperson Act and is subject to all provisions of the Condominium and Common Interest Community Ombudsperson Act. This Section is repealed January 1, 2024 ~~July 1, 2022~~.

(Source: P.A. 99-776, eff. 8-12-16; 100-201, eff. 8-18-17.); and

on page 5, line 17, by replacing "Section 19" with "Sections 19 and 35"; and

on page 10, immediately below line 20, by inserting the following:

"(765 ILCS 605/35)

(Section scheduled to be repealed on July 1, 2022)

Sec. 35. Compliance with the Condominium and Common Interest Community Ombudsperson Act. Every unit owners' association must comply with the Condominium and Common Interest Community Ombudsperson Act and is subject to all provisions of the Condominium and Common Interest Community Ombudsperson Act. This Section is repealed January 1, 2024 ~~July 1, 2022~~.

[March 23, 2022]

(Source: P.A. 98-1135, eff. 1-1-17 (See Section 20 of P.A. 99-776 for effective date of P.A. 98-1135); 99-776, eff. 8-12-16.)

Section 15. The Condominium and Common Interest Community Ombudsperson Act is amended by changing Section 70 as follows:

(765 ILCS 615/70)

(Section scheduled to be repealed on July 1, 2022)

Sec. 70. Repeal. This Act is repealed on January 1, 2024 ~~July 1, 2022~~.

(Source: P.A. 98-1135, eff. 1-1-17 (See Section 20 of P.A. 99-776 for effective date of P.A. 98-1135); 99-776, eff. 8-12-16.)

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

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

On motion of Senator Joyce, **House Bill No. 4160** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Joyce, **House Bill No. 4161** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **House Bill No. 4292** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 4333** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Simmons, **House Bill No. 4369** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, **House Bill No. 4739** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 5047** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator E. Jones III, **House Bill No. 209** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 568** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 861** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 861

AMENDMENT NO. 1. Amend House Bill 861 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Domestic Violence Maintenance Task Force Act.

Section 5. Domestic Violence Maintenance Task Force. The Domestic Violence Maintenance Task Force is created. The Task Force shall:

(1) research and examine maintenance award patterns in State domestic relations cases involving domestic violence, including the amount of maintenance paid in such cases, whether the

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victim or abuser is paying maintenance, and the role of domestic violence in affecting the economic resources available to the victim; and

(2) develop recommendations to improve the safety and long-term economic security of victims of domestic violence, including, but not limited to, recommendations on:

(A) whether a rebuttable presumption should exist that a primary aggressor of domestic or sexual abuse shall not receive maintenance or temporary maintenance, including what pieces of evidence can trigger this presumption and how to overcome it; and

(B) whether a factor should be added to subsection (a) of Section 504 of the Illinois Marriage and Dissolution of Marriage Act regarding whether one of the parties has been convicted of domestic battery or aggravated domestic battery against the other party under Section 12-3.2 or 12-3.3 of the Criminal Code of 2012.

Section 10. Membership; compensation; meetings; reports.

(a) The Domestic Violence Maintenance Task Force shall be composed of the following members:

(1) two domestic relations judges appointed by the Supreme Court;

(2) the Director of the Administrative Office of the Illinois Courts or the Director's designee;

(3) the Attorney General or the Attorney General's designee;

(4) the following public members appointed by the Governor:

(A) two members representing victims' rights organizations;

(B) two victims of domestic violence;

(C) two members representing family law lawyers who shall have experience with domestic violence cases based on a recommendation from a statewide bar association; and

(D) two members representing family law lawyers who shall have experience with divorce cases who work for an organization that provides free legal services to low-income individuals;

(5) one Representative appointed by the Speaker of the House of Representatives;

(6) one Representative appointed by the Minority Leader of the House of Representatives;

(7) one Senator appointed by the President of the Senate; and

(8) one Senator appointed by the Minority Leader of the Senate.

(b) The Chair of the Task Force shall be selected by a majority vote of the members of the Task Force.

(c) Task Force members shall not be compensated for their service on the Task Force.

(d) The Task Force shall meet quarterly.

(e) No later than 15 months after the effective date of this Act, the Task Force shall issue a preliminary report on the state of current practice across the State in regard to family law practices and maintenance and domestic and sexual violence. No later than 15 months after the release of the preliminary report, the Task Force shall issue a final report issuing recommendations for evidence-based improvements to court procedures. The Task Force shall submit the reports to the General Assembly and the Governor.

Section 15. Administrative support and duties.

(a) The Administrative Office of the Illinois Courts shall provide administrative support to the Task Force.

(b) The Task Force shall review available research, best practices, and case information to formulate recommendations.

(c) The Administrative Office of the Illinois Courts is authorized to oversee the research project.

(d) \$250,000 shall be provided to administer the research project, subject to appropriation.

Section 25. Repeal. This Act is repealed on January 1, 2025."

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

On motion of Senator Fine, **House Bill No. 1780** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 1780

AMENDMENT NO. 1. Amend House Bill 1780 on page 4, line 1, by deleting "or"; and

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on page 4, by replacing line 3 with the following:

"required to perform kidney dialysis;
 (11) drugs sold at retail as a unit dose package; or
 (12) homeopathic drugs."; and

on page 5, by replacing lines 20 and 21 with the following:

""Proprietary information" means information that is:
 (1) submitted under this Act;
 (2) a trade secret or commercial or financial information that is privileged or confidential and is identified as such by the person providing the information; and
 (3) not required to be disclosed under any other law, rule, or regulation affecting a covered drug, covered manufacturer, or pharmacy."; and

on page 14, immediately below line 24, by inserting the following:

"The program promotion requirements under this Section do not apply to any drug take-back program established prior to the effective date of this Act that provides promotional or educational materials to the public about the proper collection and management of covered drugs."; and

on page 18, line 6, by replacing "\$5,000" with "\$2,500".

AMENDMENT NO. 2 TO HOUSE BILL 1780

AMENDMENT NO. 2 . Amend House Bill 1780 on page 4, by replacing lines 5 and 6 with the following:

"drug that is sold or offered for sale in Illinois."; and

on page 5, line 16, after "207.1.", by inserting "A private label distributor is not a covered manufacturer."; and

on page 5, line 23, after "207.1.", by inserting "A repackager is not a covered manufacturer.".

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

On motion of Senator Harris, **House Bill No. 2739** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 2991** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 3296** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3296

AMENDMENT NO. 1 . Amend House Bill 3296 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Sections 10-20.83 and 34-18.78 as follows:
 (105 ILCS 5/10-20.83 new)

Sec. 10-20.83. College and career readiness systems.

(a) Subject to subsection (d) of this Section, by July 1, 2025, a school district that enrolls students in any of grades 6 through 12 shall adopt and commence implementation of career exploration and career development activities in accordance with a postsecondary and career expectations framework for each of grades 6 through 12 served by the district that substantially aligns to the model framework adopted by State agencies pursuant to Section 15 of the Postsecondary and Workforce Readiness Act. The local

postsecondary and career expectations framework shall be available on a prominent location on the school district's website.

The career exploration and career development activities offered in alignment with the postsecondary and career expectations framework shall prepare students enrolled in grades 6 through 12 to make informed plans and decisions about their future education and career goals, including possible participation in a career and technical education pathway, by providing students with opportunities to explore a wide variety of high-skill, high-wage, and in-demand career fields.

(b) By no later than July 1, 2025, a school district that enrolls students in any of grades 9 through 12 shall either elect to implement College and Career Pathway Endorsements in accordance with subsection (c) of this Section or opt out of implementation in accordance with subsection (d) of this Section.

(c) A school district that enrolls students in any of grades 9 through 12 electing to implement College and Career Pathway Endorsements shall become an eligible school district and either (i) independently, (ii) through an area career center, or (iii) through an inter-district cooperative, award College and Career Pathway Endorsements pursuant to the Postsecondary and Workforce Readiness Act and pursuant to the following schedule:

(1) for the high school graduating class of 2027, a school district shall offer College and Career Pathway Endorsements in at least one endorsement area;

(2) for the high school graduating class of 2029, a school district shall offer College and Career Pathway Endorsements in at least 2 endorsement areas; and

(3) for the high school graduating class of 2031, a school district with a grade 9 through 12 enrollment of more than 350 students, as calculated by the State Board of Education for the 2022-2023 school year, shall offer College and Career Pathway Endorsements in at least 3 endorsement areas.

A school district may elect to implement College and Career Pathway Endorsements by July 1, 2025, either by submitting the necessary application materials to the State Board of Education to award the number of endorsements required by this subsection or by the school board of the district adopting a timeline for implementation consistent with the requirements of this subsection.

(d) The school board of any school district may, by action of the board, opt out of implementation of all or any part of this Section through adoption of a set of findings that considers the following:

(1) the school district's current systems for college and career readiness;

(2) the school district's cost of implementation balanced against the potential benefits to students and families through improved postsecondary education and career outcomes;

(3) the willingness and capacity of local businesses to partner with the school district for successful implementation of pathways other than education;

(4) the willingness of institutions of higher education to partner with the school district for successful implementation of the pathway and whether the district has sought and established a partnership agreement with a community college district incorporating the provisions of the Model Partnership Agreement under the Dual Credit Quality Act;

(5) the availability of a statewide database of participating local business partners, as provided under the Postsecondary and Workforce Readiness Act, for the purpose of career readiness and the accessibility of those work experiences and apprenticeships listed in the database to the students of the school district; and

(6) the availability of properly licensed teachers or teachers meeting faculty credential standards for dual credit courses to instruct in the program required for the endorsement areas.

A school district must report its board findings and decision on implementation to the State Board of Education. A school district electing to opt out of implementation may reverse its decision in whole or in part at any time.

(e) The State Board of Education may adopt any rules necessary to implement this Section.

(105 ILCS 5/34-18.78 new)

Sec. 34-18.78. College and career readiness systems.

(a) Subject to subsection (c) of this Section, by July 1, 2024, the school district shall adopt and commence implementation of a postsecondary and career expectations framework for each of grades 6 through 12 that substantially aligns to the model framework adopted by State agencies pursuant to Section 15 of the Postsecondary and Workforce Readiness Act. The local postsecondary and career expectations framework shall be available on a prominent location on the school district's website.

The career exploration and career development activities offered in alignment with the postsecondary and career expectations framework shall prepare students enrolled in grades 6 through 12 to make informed plans and decisions about their future education and career goals, including possible participation in a career and technical education pathway, by providing students with opportunities to explore a wide variety of high-skill, high-wage, and in-demand career fields.

(b) Subject to subsection (c) of this Section, the school district shall become an eligible school district and award College and Career Pathway Endorsements pursuant to the Postsecondary and Workforce Readiness Act and pursuant to the following schedule:

(1) for the high school graduating class of 2026, the school district shall offer College and Career Pathway Endorsements in at least one endorsement area;

(2) for the high school graduating class of 2028, the school district shall offer College and Career Pathway Endorsements in at least 2 endorsement areas; and

(3) for the high school graduating class of 2030, the school district shall offer College and Career Pathway Endorsements in at least 3 endorsement areas.

(c) The board may, by action of the board, opt out of implementation of all or any part of this Section through adoption of a set of findings that considers the following:

(1) the school district's current systems for college and career readiness;

(2) the school district's cost of implementation balanced against the potential benefits to students and families through improved postsecondary education and career outcomes;

(3) the willingness and capacity of local businesses to partner with the school district for successful implementation of pathways other than education;

(4) the availability of a statewide database of participating local business partners, as provided under the Postsecondary and Workforce Readiness Act, for the purpose of career readiness and the accessibility of those work experiences and apprenticeships listed in the database to the students of the school district; and

(5) the availability of properly licensed teachers or teachers meeting faculty credential standards for dual credit courses to instruct in the program required for the endorsement areas.

The school district must report its board findings and decision on implementation to the State Board of Education. If the school district elects to opt out of implementation, the district may reverse its decision in whole or in part at any time.

(d) The State Board of Education may adopt any rules necessary to implement this Section.

Section 10. The Postsecondary and Workforce Readiness Act is amended by changing Section 15 as follows:

(110 ILCS 148/15)

Sec. 15. Postsecondary and career expectations.

(a) By no later than July 1, 2017, ISBE, ICCB, IBHE, and ISAC, in consultation with appropriate stakeholders, shall jointly adopt and publicize model postsecondary and career expectations for public school students in grades 8 through 12. The model postsecondary and career expectations shall define activities that school districts, parents, and community-based organizations should support students in completing and related knowledge students should possess by no later than the end of each grade level. The model postsecondary and career expectations must address the following categories:

(1) career exploration and development;

(2) postsecondary institution exploration, preparation, and selection; and

(3) financial aid and financial literacy.

(b) By July 1, 2023, ISBE, ICCB, IBHE, and ISAC, in consultation with appropriate stakeholders, shall jointly adopt and publicize an update to the model postsecondary and career expectations that extends the expectations to grade 6 and includes such other revisions and updates as the agencies deem appropriate.

(c) By July 1, 2024, ISBE shall consult with a statewide organization representing businesses and manufacturing. After consultation, ISBE shall publish and maintain on its website a current database, organized by region, of employer champions for work-based learning and career readiness systems and programs. Each employer must consent to its designation as a champion and its information being published in the database. In addition, ISBE shall publish and maintain on its website an inventory of resources available to support school districts in implementing College and Career Pathway Endorsements, including sector-specific resources.

(Source: P.A. 99-674, eff. 7-29-16)."

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

On motion of Senator Harris, **House 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 Connor, **House Bill No. 3637** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 3988** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 3988

AMENDMENT NO. 1. Amend House Bill 3988 on page 6, lines 19 and 20, by replacing "December 31 of 2021" with "December 31, 2024".

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

On motion of Senator Villivalam, **House Bill No. 4070** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Stadelman, **House Bill No. 4170** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4170

AMENDMENT NO. 1. Amend House Bill 4170 by replacing everything after the enacting clause with the following:

"Section 5. The Park Commissioners Land Sale Act is amended by adding Section 20 as follows:

(70 ILCS 1235/20 new)

Sec. 20. Elliot Golf Course.

(a) Notwithstanding any other provision of law, the Rockford Park District may sell all or part of the property containing the former Elliot Golf Course or other property adjacent thereto if:

(1) the board of commissioners of the Rockford Park District authorizes the sale by a vote of 80% or more of all commissioners in office at the time of the vote; and

(2) the sale price equals or exceeds the average of 3 independent appraisals commissioned by the Rockford Park District.

(b) The sale may be performed in a single transaction or multiple independent transactions and to one or more buyers.

(c) The Public Works Department of the City of Rockford shall have the right to review any proposed development plan that is submitted to the Village of Cherry Valley for the properties described in this Section in order to confirm that the proposed development plan does not adversely impact drainage, water detention, or flooding on the property legally described in the perpetual flowage easement recorded as Document Number 9509260 in the Office of the Winnebago County Recorder on March 17, 1995. The Public Works Department of the City of Rockford shall complete its review of any proposed development plan under this subsection (c) within 45 days after its receipt of that plan from the Village of Cherry Valley.

(d) This Section is repealed January 1, 2025.

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

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

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On motion of Senator Pacione-Zayas, **House Bill No. 4201** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator McClure, **House Bill No. 4230** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4242** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4242

AMENDMENT NO. 1 . Amend House Bill 4242 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Section 5a as follows:
(20 ILCS 505/5a) (from Ch. 23, par. 5005a)

Sec. 5a. Reimbursable services for which the Department of Children and Family Services shall pay 100% of the reasonable cost pursuant to a written contract negotiated between the Department and the agency furnishing the services (which shall include but not be limited to the determination of reasonable cost, the services being purchased and the duration of the agreement) include, but are not limited to:

SERVICE ACTIVITIES

Adjunctive Therapy;
Child Care Service, including day care;
Clinical Therapy;
Custodial Service;
Field Work Students;
Food Service;
Normal Education;
In-Service Training;
Intake or Evaluation, or both;
Medical Services;
Recreation;
Social Work or Counselling, or both;
Supportive Staff;
Volunteers.

OBJECT EXPENSES

Professional Fees and Contract Service Payments;
Supplies;
Telephone and Telegram;
Occupancy;
Local Transportation;
Equipment and Other Fixed Assets, including amortization
of same;
Miscellaneous.

ADMINISTRATIVE COSTS

Program Administration;
Supervision and Consultation;
Inspection and Monitoring for purposes of issuing
licenses;
Determination of Children who are eligible
for federal or other reimbursement;
Postage and Shipping;

Outside Printing, Artwork, etc.;
 Subscriptions and Reference Publications;
 Management and General Expense.

Reimbursement of administrative costs other than inspection and monitoring for purposes of issuing licenses may not exceed 20% of the costs for other services.

The Department may offer services to any child or family with respect to whom a report of suspected child abuse or neglect has been called in to the hotline after completion of a family assessment as provided under subsection (a-5) of Section 7.4 of the Abused and Neglected Child Reporting Act and the Department has determined that services are needed to address the safety of the child and other family members and the risk of subsequent maltreatment. Acceptance of such services shall be voluntary.

All Object Expenses, Service Activities and Administrative Costs are allowable.

If a survey instrument is used in the rate setting process:

(a) with respect to any day care centers, it shall be limited to those agencies which receive reimbursement from the State;

(b) the cost survey instrument shall be promulgated by rule;

(c) any requirements of the respondents shall be promulgated by rule;

(d) all screens, limits or other tests of reasonableness, allowability and reimbursability shall be promulgated by rule;

(e) adjustments may be made by the Department to rates when it determines that reported wage and salary levels are insufficient to attract capable caregivers in sufficient numbers.

The Department of Children and Family Services may pay 100% of the reasonable costs of research and valuation focused exclusively on services to youth in care. Such research projects must be approved, in advance, by the Director of the Department.

In addition to reimbursements otherwise provided for in this Section, the Department of Human Services shall, in accordance with annual written agreements, make advance quarterly disbursements to local public agencies for child day care services with funds appropriated from the Local Effort Day Care Fund.

Neither the Department of Children and Family Services nor the Department of Human Services shall pay or approve reimbursement for day care in a facility which is operating without a valid license or permit, except in the case of day care homes or day care centers which are exempt from the licensing requirements of the "Child Care Act of 1969".

The rates paid to day care providers by the Department of Children and Family Services shall match the rates paid to child care providers by the Department of Human Services under the child care assistance program, including base rates and any relevant rate enhancements.

(Source: P.A. 100-159, eff. 8-18-17.)

Section 10. 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) youth in care, as defined in Section 4d of the Children and Family Services Act, who are parents, regardless of income or 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 income or whether the parenting youth in care is working or participating in Department-approved employment or education or training programs;

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

(9) ~~(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.

Beginning October 1, 2023, and every October 1 thereafter, the Department of Children and Family Services shall report to the General Assembly on the number of children who received child care via vouchers paid for by the Department of Children and Family Services during the preceding fiscal year. The report shall include the ages of children who received child care, the type of child care they received, and the number of months they received child care.

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.)

Section 15. The Early Intervention Services System Act is amended by changing Section 3 as follows: (325 ILCS 20/3) (from Ch. 23, par. 4153)

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

(a) "Eligible infants and toddlers" means infants and toddlers under 36 months of age with any of the following conditions:

(1) Developmental delays.

(2) A physical or mental condition which typically results in developmental delay.

(3) Being at risk of having substantial developmental delays based on informed clinical opinion.

(4) Either (A) having entered the program under any of the circumstances listed in paragraphs (1) through (3) of this subsection but no longer meeting the current eligibility criteria under those paragraphs, and continuing to have any measurable delay, or (B) not having attained a level of development in each area, including (i) cognitive, (ii) physical (including vision and hearing), (iii) language, speech, and communication, (iv) social or emotional, or (v) adaptive, that is at least at the mean of the child's age equivalent peers; and, in addition to either item (A) or item (B), (C) having been determined by the multidisciplinary individualized family service plan team to require the continuation of early intervention services in order to support continuing developmental progress, pursuant to the child's needs and provided in an appropriate developmental manner. The type, frequency, and intensity of services shall differ from the initial individualized family services plan because of the child's developmental progress, and may consist of only service coordination, evaluation, and assessments.

"Eligible infants and toddlers" includes any child under the age of 3 who is the subject of a substantiated case of child abuse or neglect as defined in the federal Child Abuse Prevention and Treatment Act.

(b) "Developmental delay" means a delay in one or more of the following areas of childhood development as measured by appropriate diagnostic instruments and standard procedures: cognitive; physical, including vision and hearing; language, speech and communication; social or emotional; or adaptive. The term means a delay of 30% or more below the mean in function in one or more of those areas.

(c) "Physical or mental condition which typically results in developmental delay" means:

(1) a diagnosed medical disorder or exposure to a toxic substance bearing a relatively well known expectancy for developmental outcomes within varying ranges of developmental disabilities; or

(2) a history of prenatal, perinatal, neonatal or early developmental events suggestive of biological insults to the developing central nervous system and which either singly or collectively increase the probability of developing a disability or delay based on a medical history.

(d) "Informed clinical opinion" means both clinical observations and parental participation to determine eligibility by a consensus of a multidisciplinary team of 2 or more members based on their professional experience and expertise.

(e) "Early intervention services" means services which:

(1) are designed to meet the developmental needs of each child eligible under this Act and the needs of his or her family;

(2) are selected in collaboration with the child's family;

(3) are provided under public supervision;

(4) are provided at no cost except where a schedule of sliding scale fees or other system of payments by families has been adopted in accordance with State and federal law;

(5) are designed to meet an infant's or toddler's developmental needs in any of the following areas:

(A) physical development, including vision and hearing,

(B) cognitive development,

(C) communication development,

(D) social or emotional development, or

(E) adaptive development;

(6) meet the standards of the State, including the requirements of this Act;

(7) include one or more of the following:

(A) family training,

(B) social work services, including counseling, and home visits,

(C) special instruction,

(D) speech, language pathology and audiology,

(E) occupational therapy,

(F) physical therapy,

(G) psychological services,

(H) service coordination services,

(I) medical services only for diagnostic or evaluation purposes,

(J) early identification, screening, and assessment services,

(K) health services specified by the lead agency as necessary to enable the infant or toddler to benefit from the other early intervention services,

(L) vision services,

(M) transportation,

(N) assistive technology devices and services,

(O) nursing services,

(P) nutrition services, and

(Q) sign language and cued language services;

(8) are provided by qualified personnel, including but not limited to:

(A) child development specialists or special educators, including teachers of children with hearing impairments (including deafness) and teachers of children with vision impairments (including blindness),

(B) speech and language pathologists and audiologists,

(C) occupational therapists,

(D) physical therapists,

(E) social workers,

(F) nurses,

(G) dietitian nutritionists,

(H) vision specialists, including ophthalmologists and optometrists,

(I) psychologists, and

(J) physicians;

(9) are provided in conformity with an Individualized Family Service Plan;

(10) are provided throughout the year; and

(11) are provided in natural environments, to the maximum extent appropriate, which may include the home and community settings, unless justification is provided consistent with federal regulations adopted under Sections 1431 through 1444 of Title 20 of the United States Code.

(f) "Individualized Family Service Plan" or "Plan" means a written plan for providing early intervention services to a child eligible under this Act and the child's family, as set forth in Section 11.

(g) "Local interagency agreement" means an agreement entered into by local community and State and regional agencies receiving early intervention funds directly from the State and made in accordance with State interagency agreements providing for the delivery of early intervention services within a local community area.

(h) "Council" means the Illinois Interagency Council on Early Intervention established under Section 4.

(i) "Lead agency" means the State agency responsible for administering this Act and receiving and disbursing public funds received in accordance with State and federal law and rules.

(i-5) "Central billing office" means the central billing office created by the lead agency under Section 13.

(j) "Child find" means a service which identifies eligible infants and toddlers.

(k) "Regional intake entity" means the lead agency's designated entity responsible for implementation of the Early Intervention Services System within its designated geographic area.

(l) "Early intervention provider" means an individual who is qualified, as defined by the lead agency, to provide one or more types of early intervention services, and who has enrolled as a provider in the early intervention program.

(m) "Fully credentialed early intervention provider" means an individual who has met the standards in the State applicable to the relevant profession, and has met such other qualifications as the lead agency has determined are suitable for personnel providing early intervention services, including pediatric experience, education, and continuing education. The lead agency shall establish these qualifications by rule filed no later than 180 days after the effective date of this amendatory Act of the 92nd General Assembly.

(n) "Telehealth" has the meaning given to that term in Section 5 of the Telehealth Act.

(Source: P.A. 101-10, eff. 6-5-19; 102-104, eff. 7-22-21.)

Section 99. Effective date. This Act takes effect upon becoming law, except that Section 5 takes effect on July 1, 2023."

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

On motion of Senator Loughran Cappel, **House Bill No. 4246** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4256** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4256

AMENDMENT NO. 1. Amend House Bill 4256 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 24A-5 and 24A-15 as follows:

(105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

Sec. 24A-5. Content of evaluation plans. This Section does not apply to teachers assigned to schools identified in an agreement entered into between the board of a school district operating under Article 34 of this Code and the exclusive representative of the district's teachers in accordance with Section 34-85c of this Code.

Each school district to which this Article applies shall establish a teacher evaluation plan which ensures that each teacher in contractual continued service is evaluated at least once in the course of every 2 or 3 school years as provided in this Section.

Each school district shall establish a teacher evaluation plan that ensures that:

(1) each teacher not in contractual continued service is evaluated at least once every school year; and

(2) except as otherwise provided in this Section, each teacher in contractual continued service is evaluated at least once in the course of every 2 school years. However, any teacher in contractual

continued service whose performance is rated as either "needs improvement" or "unsatisfactory" must be evaluated at least once in the school year following the receipt of such rating.

No later than September 1, 2022, each school district must establish a teacher evaluation plan that ensures that each teacher in contractual continued service whose performance is rated as either "excellent" or "proficient" is evaluated at least once in the course of the 3 school years after receipt of the rating and implement an informal teacher observation plan established by agency rule and by agreement of the joint committee established under subsection (b) of Section 24A-4 of this Code that ensures that each teacher in contractual continued service whose performance is rated as either "excellent" or "proficient" is informally observed at least once in the course of the 2 school years after receipt of the rating.

For the 2022-2023 school year only, if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, a school district may waive the evaluation requirement of any teacher in contractual continued service whose performance was rated as either "excellent" or "proficient" during the last school year in which the teacher was evaluated under this Section.

Notwithstanding anything to the contrary in this Section or any other Section of ~~this~~ the School Code, a principal shall not be prohibited from evaluating any teachers within a school during his or her first year as principal of such school. If a first-year principal exercises this option in a school district where the evaluation plan provides for a teacher in contractual continued service to be evaluated once in the course of every 2 or 3 school years, as applicable, then a new 2-year or 3-year evaluation plan must be established.

The evaluation plan shall comply with the requirements of this Section and of any rules adopted by the State Board of Education pursuant to this Section.

The plan shall include a description of each teacher's duties and responsibilities and of the standards to which that teacher is expected to conform, and shall include at least the following components:

(a) personal observation of the teacher in the classroom by the evaluator, unless the teacher has no classroom duties.

(b) consideration of the teacher's attendance, planning, instructional methods, classroom management, where relevant, and competency in the subject matter taught.

(c) by no later than the applicable implementation date, consideration of student growth as a significant factor in the rating of the teacher's performance.

(d) prior to September 1, 2012, rating of the performance of teachers in contractual continued service as either:

(i) "excellent", "satisfactory" or "unsatisfactory"; or

(ii) "excellent", "proficient", "needs improvement" or "unsatisfactory".

(e) on and after September 1, 2012, rating of the performance of all teachers as "excellent", "proficient", "needs improvement" or "unsatisfactory".

(f) specification as to the teacher's strengths and weaknesses, with supporting reasons for the comments made.

(g) inclusion of a copy of the evaluation in the teacher's personnel file and provision of a copy to the teacher.

(h) within 30 school days after the completion of an evaluation rating a teacher in contractual continued service as "needs improvement", development by the evaluator, in consultation with the teacher, and taking into account the teacher's on-going professional responsibilities including his or her regular teaching assignments, of a professional development plan directed to the areas that need improvement and any supports that the district will provide to address the areas identified as needing improvement.

(i) within 30 school days after completion of an evaluation rating a teacher in contractual continued service as "unsatisfactory", development and commencement by the district of a remediation plan designed to correct deficiencies cited, provided the deficiencies are deemed remediable. In all school districts the remediation plan for unsatisfactory, tenured teachers shall provide for 90 school days of remediation within the classroom, unless an applicable collective bargaining agreement provides for a shorter duration. In all school districts evaluations issued pursuant to this Section shall be issued within 10 days after the conclusion of the respective remediation plan. However, the school board or other governing authority of the district shall not lose jurisdiction to discharge a teacher in the event the evaluation is not issued within 10 days after the conclusion of the respective remediation plan.

(j) participation in the remediation plan by the teacher in contractual continued service rated "unsatisfactory", an evaluator and a consulting teacher selected by the evaluator of the teacher who was rated "unsatisfactory", which consulting teacher is an educational employee as defined in the Educational Labor Relations Act, has at least 5 years' teaching experience, and a reasonable familiarity with the assignment of the teacher being evaluated, and who received an "excellent" rating on his or her most recent evaluation. Where no teachers who meet these criteria are available within the district, the district shall request and the applicable regional office of education shall supply, to participate in the remediation process, an individual who meets these criteria.

In a district having a population of less than 500,000 with an exclusive bargaining agent, the bargaining agent may, if it so chooses, supply a roster of qualified teachers from whom the consulting teacher is to be selected. That roster shall, however, contain the names of at least 5 teachers, each of whom meets the criteria for consulting teacher with regard to the teacher being evaluated, or the names of all teachers so qualified if that number is less than 5. In the event of a dispute as to qualification, the State Board shall determine qualification.

(k) a mid-point and final evaluation by an evaluator during and at the end of the remediation period, immediately following receipt of a remediation plan provided for under subsections (i) and (j) of this Section. Each evaluation shall assess the teacher's performance during the time period since the prior evaluation; provided that the last evaluation shall also include an overall evaluation of the teacher's performance during the remediation period. A written copy of the evaluations and ratings, in which any deficiencies in performance and recommendations for correction are identified, shall be provided to and discussed with the teacher within 10 school days after the date of the evaluation, unless an applicable collective bargaining agreement provides to the contrary. These subsequent evaluations shall be conducted by an evaluator. The consulting teacher shall provide advice to the teacher rated "unsatisfactory" on how to improve teaching skills and to successfully complete the remediation plan. The consulting teacher shall participate in developing the remediation plan, but the final decision as to the evaluation shall be done solely by the evaluator, unless an applicable collective bargaining agreement provides to the contrary. Evaluations at the conclusion of the remediation process shall be separate and distinct from the required annual evaluations of teachers and shall not be subject to the guidelines and procedures relating to those annual evaluations. The evaluator may but is not required to use the forms provided for the annual evaluation of teachers in the district's evaluation plan.

(l) reinstatement to the evaluation schedule set forth in the district's evaluation plan for any teacher in contractual continued service who achieves a rating equal to or better than "satisfactory" or "proficient" in the school year following a rating of "needs improvement" or "unsatisfactory".

(m) dismissal in accordance with subsection (d) of Section 24-12 or Section 24-16.5 or 34-85 of this Code of any teacher who fails to complete any applicable remediation plan with a rating equal to or better than a "satisfactory" or "proficient" rating. Districts and teachers subject to dismissal hearings are precluded from compelling the testimony of consulting teachers at such hearings under subsection (d) of Section 24-12 or Section 24-16.5 or 34-85 of this Code, either as to the rating process or for opinions of performances by teachers under remediation.

(n) After the implementation date of an evaluation system for teachers in a district as specified in Section 24A-2.5 of this Code, if a teacher in contractual continued service successfully completes a remediation plan following a rating of "unsatisfactory" in an overall performance evaluation received after the foregoing implementation date and receives a subsequent rating of "unsatisfactory" in any of the teacher's overall performance evaluation ratings received during the 36-month period following the teacher's completion of the remediation plan, then the school district may forego remediation and seek dismissal in accordance with subsection (d) of Section 24-12 or Section 34-85 of this Code.

Nothing in this Section or Section 24A-4 shall be construed as preventing immediate dismissal of a teacher for deficiencies which are deemed irremediable or for actions which are injurious to or endanger the health or person of students in the classroom or school, or preventing the dismissal or non-renewal of teachers not in contractual continued service for any reason not prohibited by applicable employment, labor, and civil rights laws. Failure to strictly comply with the time requirements contained in Section 24A-5 shall not invalidate the results of the remediation plan.

Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

If the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act that suspends in-person instruction, the timelines in this Section connected to the commencement and completion of any remediation plan are waived. Except if the parties mutually agree otherwise and the agreement is in writing, any remediation plan that had been in place for more than 45 days prior to the suspension of in-person instruction shall resume when in-person instruction resumes and any remediation plan that had been in place for fewer than 45 days prior to the suspension of in-person instruction shall be discontinued and a new remediation period shall begin when in-person instruction resumes. The requirements of this paragraph apply regardless of whether they are included in a school district's teacher evaluation plan.

(Source: P.A. 101-643, eff. 6-18-20; 102-252, eff. 1-1-22.)

(105 ILCS 5/24A-15)

Sec. 24A-15. Development of evaluation plan for principals and assistant principals.

(a) Each school district, except for a school district organized under Article 34 of this Code, shall establish a principal and assistant principal evaluation plan in accordance with this Section. The plan must ensure that each principal and assistant principal is evaluated as follows:

(1) For a principal or assistant principal on a single-year contract, the evaluation must take place by March 1 of each year.

(2) For a principal or assistant principal on a multi-year contract under Section 10-23.8a of this Code, the evaluation must take place by March 1 of the final year of the contract.

On and after September 1, 2012, the plan must:

(i) rate the principal's or assistant principal's performance as "excellent", "proficient", "needs improvement" or "unsatisfactory"; and

(ii) ensure that each principal and assistant principal is evaluated at least once every school year.

Nothing in this Section prohibits a school district from conducting additional evaluations of principals and assistant principals.

For the 2022-2023 school year only, if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, a school district may waive the evaluation requirement of any principal or assistant principal whose performance was rated as either "excellent" or "proficient" during the last school year in which the principal or assistant principal was evaluated under this Section.

(b) The evaluation shall include a description of the principal's or assistant principal's duties and responsibilities and the standards to which the principal or assistant principal is expected to conform.

(c) The evaluation for a principal must be performed by the district superintendent, the superintendent's designee, or, in the absence of the superintendent or his or her designee, an individual appointed by the school board who holds a registered Type 75 State administrative certificate.

Prior to September 1, 2012, the evaluation must be in writing and must at least do all of the following:

(1) Consider the principal's specific duties, responsibilities, management, and competence as a principal.

(2) Specify the principal's strengths and weaknesses, with supporting reasons.

(3) Align with research-based standards established by administrative rule.

On and after September 1, 2012, the evaluation must, in addition to the requirements in items (1), (2), and (3) of this subsection (c), provide for the use of data and indicators on student growth as a significant factor in rating performance.

(c-5) The evaluation of an assistant principal must be performed by the principal, the district superintendent, the superintendent's designee, or, in the absence of the superintendent or his or her designee, an individual appointed by the school board who holds a registered Type 75 State administrative certificate. The evaluation must be in writing and must at least do all of the following:

(1) Consider the assistant principal's specific duties, responsibilities, management, and competence as an assistant principal.

(2) Specify the assistant principal's strengths and weaknesses with supporting reasons.

(3) Align with the Illinois Professional Standards for School Leaders or research-based district standards.

On and after September 1, 2012, the evaluation must, in addition to the requirements in items (1), (2), and (3) of this subsection (c-5), provide for the use of data and indicators on student growth as a significant factor in rating performance.

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(d) One copy of the evaluation must be included in the principal's or assistant principal's personnel file and one copy of the evaluation must be provided to the principal or assistant principal.

(e) Failure by a district to evaluate a principal or assistant principal and to provide the principal or assistant principal with a copy of the evaluation at least once during the term of the principal's or assistant principal's contract, in accordance with this Section, is evidence that the principal or assistant principal is performing duties and responsibilities in at least a satisfactory manner and shall serve to automatically extend the principal's or assistant principal's contract for a period of one year after the contract would otherwise expire, under the same terms and conditions as the prior year's contract. The requirements in this Section are in addition to the right of a school board to reclassify a principal or assistant principal pursuant to Section 10-23.8b of this Code.

(f) Nothing in this Section prohibits a school board from ordering lateral transfers of principals or assistant principals to positions of similar rank and salary.
(Source: P.A. 96-861, eff. 1-15-10; 97-217, eff. 7-28-11.)

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

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

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

On motion of Senator Ellman, **House Bill No. 4261** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 4271** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4304** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4306** was taken up, read by title a second time.

Floor Amendment No. 1 was referred to the Committee on Assignments earlier today.

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

On motion of Senator Harris, **House Bill No. 4313** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4313

AMENDMENT NO. 1. Amend House Bill 4313 on page 3, lines 20 through 22, by replacing "the Director determines that the member company may be subject to a future delinquency proceeding under Article XIII" with "the member company has an authorized control level event as defined in Section 35A-25"; and

on page 9, lines 4 through 6, by replacing "the Director determines that the member company may be subject to a future delinquency proceeding under Article XIII" with "the member company has an authorized control level event as defined in Section 35A-25"; and

on page 17, lines 11 through 13, by replacing "the Director determines that the member company may be subject to a future delinquency proceeding under Article XIII" with "the member company has an authorized control level event as defined in Section 35A-25".

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

On motion of Senator Connor, **House Bill No. 4316** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **House Bill No. 4320** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4324** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villanueva, **House Bill No. 4338** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4338

AMENDMENT NO. 1. Amend House Bill 4338 on page 1, line 13, after "branches", by inserting "or an advanced practice registered nurse licensed under the Nurse Practice Act".

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

On motion of Senator Gillespie, **House Bill No. 4343** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 4349** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 4365** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 4366** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 4408** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 4410** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4410

AMENDMENT NO. 1. Amend House Bill 4410 as follows:

on page 2, line 24, by deleting "and"; and

on page 3, by replacing line 1 with the following:

"Governor; and

(12) a representative of a statewide appraisal organization, appointed by the Governor."

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

On motion of Senator Harmon, **House Bill No. 4422** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Simmons, **House Bill No. 4430** having been printed, was taken up and read by title a second time.

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

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AMENDMENT NO. 1 TO HOUSE BILL 4430

AMENDMENT NO. 1 . Amend House Bill 4430 on page 3, line 6, by replacing "356z.1a" with "356z.45"; and

on page 3, by replacing lines 7 through 19 as follows:

"(215 ILCS 5/356z.45)

Sec. ~~356z.45~~ ~~356z.43~~. Coverage for patient care services provided by a pharmacist. A group or individual policy of accident and health insurance or a managed care plan that is amended, delivered, issued, or renewed on or after January 1, 2023 shall provide coverage for health care or patient care services provided by a pharmacist if:

(1) the pharmacist meets the requirements and scope of practice as set forth in Section 43 or Section 43.5 of the Pharmacy Practice Act;

(2) the health plan provides coverage for the same service provided by a licensed physician, an advanced practice registered nurse, or a physician assistant;

(3) the pharmacist is included in the health benefit plan's network of participating providers; and

(4) a reimbursement has been successfully negotiated in good faith between the pharmacist and the health plan.

(Source: P.A. 102-103, eff. 1-1-23; revised 10-26-21.)".

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

On motion of Senator Harris, **House Bill No. 4433** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **House Bill No. 4435** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 4489** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harris, **House Bill No. 4493** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Peters, **House Bill No. 4580** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Sims, **House Bill No. 4322** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Simmons, **House Bill No. 4589** having been printed, was taken up and 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 HOUSE BILL 4589

AMENDMENT NO. 1 . Amend House Bill 4589 on page 1, by replacing lines 9 and 10 with the following:

"(a) The Department of Public Health shall create the Division of Men's Health.".

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

On motion of Senator Hunter, **House Bill No. 4595** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 4604** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Hunter, **House Bill No. 4645** having been printed, was taken up and 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 HOUSE BILL 4645

AMENDMENT NO. 1. Amend House Bill 4645 on page 6, lines 18 and 19, by replacing "certified nurse midwife" with "nurse"; and

on page 8, immediately below line 6, by inserting the following:

"Nurse" means a person who is licensed as a licensed practical nurse or as a registered nurse under the Nurse Practice Act."

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

On motion of Senator E. Jones III, **House Bill No. 4665** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4665

AMENDMENT NO. 1. Amend House Bill 4665 by replacing everything after the enacting clause with the following:

"Section 5. The Regulatory Sunset Act is amended by changing Sections 4.33 and 4.38 as follows:
(5 ILCS 80/4.33)

Sec. 4.33. Acts repealed on January 1, 2023. The following Acts are repealed on January 1, 2023:

~~The Dietitian Nutritionist Practice Act.~~

The Elevator Safety and Regulation Act.

The Fire Equipment Distributor and Employee Regulation Act of 2011.

The Funeral Directors and Embalmers Licensing Code.

The Naprapathic Practice Act.

The Pharmacy Practice Act.

The Professional Counselor and Clinical Professional Counselor Licensing and Practice Act.

The Wholesale Drug Distribution Licensing Act.

(Source: P.A. 101-621, eff. 12-20-19.)

(5 ILCS 80/4.38)

Sec. 4.38. Acts repealed on January 1, 2028. The following Acts are repealed on January 1, 2028:

The Acupuncture Practice Act.

The Clinical Social Work and Social Work Practice Act.

The Dietitian Nutritionist Practice Act.

The Home Medical Equipment and Services Provider License Act.

The Illinois Petroleum Education and Marketing Act.

The Illinois Speech-Language Pathology and Audiology Practice Act.

The Interpreter for the Deaf Licensure Act of 2007.

The Nurse Practice Act.

The Nursing Home Administrators Licensing and Disciplinary Act.

The Physician Assistant Practice Act of 1987.

The Podiatric Medical Practice Act of 1987.

(Source: P.A. 100-220, eff. 8-18-17; 100-375, eff. 8-25-17; 100-398, eff. 8-25-17; 100-414, eff. 8-25-17; 100-453, eff. 8-25-17; 100-513, eff. 9-20-17; 100-525, eff. 9-22-17; 100-530, eff. 9-22-17; 100-560, eff. 12-8-17.)

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Section 10. The Dietitian Nutritionist Practice Act is amended by changing Sections 5, 10, 15, 15.5, 17, 20, 30, 35, 40, 45, 70, 75, 80, 100, 105, 110, 125, 140, 165, and 175 and by adding Sections 12 and 76 as follows:

(225 ILCS 30/5) (from Ch. 111, par. 8401-5)

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

Sec. 5. Purpose. The practice of dietetics and nutrition, including the provision of medical nutrition therapy, services in the State of Illinois is hereby declared to affect the public health, safety, and welfare and to be subject to regulation and control in the public interest. It is further declared that the practice of dietetics and nutrition services plays an important part in the attainment and maintenance of health and that it is in the public's best interest that persons who present themselves as providers of nutrition care services ~~in these areas~~ meet specific requirements and qualifications. This Act shall be liberally construed to best carry out these objectives and purposes.

(Source: P.A. 87-784.)

(225 ILCS 30/10) (from Ch. 111, par. 8401-10)

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

Sec. 10. Definitions. As used in this Act:

"Accreditation Council for Education in Nutrition and Dietetics" means the autonomous accrediting agency for education programs that prepares students to begin careers as registered dietitian nutritionists or registered nutrition and dietetics technicians.

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

"Board" means the Dietitian Nutritionist Practice Board appointed by the Secretary.

"Board for Certification of Nutrition Specialists" means the certifying board that credentials certified nutrition specialists.

"Certified clinical nutritionist" means an individual certified by the Clinical Nutrition Certification Board.

"Certified nutrition specialist" means an individual credentialed ~~certified~~ by the ~~Certification~~ Board for Certification of Nutrition Specialists that authorizes the individual to use the title "certified nutrition specialist" and the abbreviation "C.N.S."

"Commission on Dietetic Registration" means the credentialing agency for the Academy of Nutrition and Dietetics.

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

"Dietetics ~~and nutrition services~~" means the integration, and application, and communication of practice principles derived from the sciences of food, and nutrition, social, business, and basic sciences to achieve and maintain the optimal provide for all aspects of nutrition status of care for individuals and groups, including, but not limited to:

(1) nutrition counseling; "nutrition counseling" means advising and assisting individuals or groups on appropriate nutrition intake by integrating information from the nutrition assessment;

(2) nutrition assessment; "nutrition assessment" means the evaluation of the nutrition needs of individuals or groups using appropriate data to determine nutrient needs or status and make appropriate nutrition recommendations;

(3) medically prescribed diet; "medically prescribed diet" is one form of medical nutrition therapy and means a diet prescribed when specific food or nutrient levels need to be monitored, altered, or both as a component of a treatment program for an individual whose health status is impaired or at risk due to disease, injury, or surgery and may only be performed as initiated by or in consultation with a physician licensed under the Medical Practice Act of 1987 acting within the scope of his or her practice, except that a medically prescribed diet for a resident of a nursing home shall only be performed as initiated by or in consultation with a physician licensed to practice medicine in all of its branches;

(4) medical nutrition therapy; "medical nutrition therapy" means the component of nutrition care that deals with the systematic use of food and oral supplementation, based on the nutrition assessment and individual health status and need to manage health conditions;

(5) nutrition services for individuals and groups; "nutrition services for individuals and groups" includes, but is not limited to, all of the following:

(A) providing nutrition assessments relative to preventive maintenance or restorative care;

(B) providing nutrition education and nutrition counseling as components of preventive maintenance or restorative care; and

(C) developing and managing systems whose chief function is nutrition care; nutrition services for individuals and groups does not include medical nutrition therapy as defined in this Act; and

(6) restorative; "restorative" means the component of nutrition care that deals with oral dietary needs for individuals and groups; activities shall relate to the metabolism of food and the requirements for nutrients, including dietary supplements for growth, development, maintenance, or attainment of optimal health.

"Diplomate of the American Clinical Board of Nutrition" means an individual credentialed certified by the American Clinical Board of Nutrition who is authorized to use the title "Diplomate of the American Clinical Board of Nutrition" and the abbreviation "DACBN".

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

"General nonmedical nutrition information" includes, but is not limited to, information on any of the following:

(1) principles of good nutrition and food preparation;

(2) essential nutrients needed by the human body;

(3) actions of nutrients in the human body;

(4) nonindividualized effects of deficiencies or excesses of nutrients in the human body;

(5) foods, herbs, and dietary supplements that are good sources of essential nutrients in the human body or otherwise useful to maintain good health; or

(6) principles of self-care and healthy relationships with food.

"Health care professional" means a physician licensed under the Medical Practice Act of 1987, an advanced practice registered nurse licensed under the Nurse Practice Act, or a physician assistant licensed under the Physician Assistant Practice Act of 1987.

"Independent private practice of medical nutrition therapy" means the application of dietetics and nutrition knowledge and skills by an individual who regulates and is responsible for the nutritionist's own practice or treatment procedures.

"Licensed dietitian nutritionist" means a person licensed under this Act to practice dietetics and nutrition, including the provision of medical nutrition therapy services, as defined in this Section. Activities of a licensed dietitian nutritionist do not include performing the medical differential diagnosis of human ailments or conditions the health status of an individual.

"Medical nutrition therapy" means nutrition care services provided for the treatment or management of a disease or medical condition. "Medical nutrition therapy" includes the provision of any part or all of the following services, with notification to the patient's physician and appropriate record retention, or pursuant to the protocols, policies, or procedures of a health care facility, as defined in Section 3 of the Illinois Health Facilities Planning Act:

(1) interpreting anthropometric, biochemical, clinical, and dietary data in acute and chronic disease states and recommending and ordering nutrient needs based on the dietary data, including, but not limited to, enteral and parenteral nutrition;

(2) food and nutrition counseling, including counseling regarding prescription drug interactions;

(3) developing and managing food service operations with functions in nutrition care, including operations connected with healthcare facilities, implicated in the ordering, preparation, or serving of therapeutic diets, or otherwise utilized in the management or treatment of disease or medical conditions; and

(4) medical weight control.

"Medical weight control" means medical nutrition therapy for the purpose of reducing, maintaining, or gaining weight.

"Nonmedical weight control" means nutrition care services for the purpose of reducing, maintaining, or gaining weight that do not constitute the treatment of a disease or medical condition. "Nonmedical weight

control" includes weight control services for healthy population groups to achieve or maintain a healthy weight.

"Nutrition assessment" means the systematic process of obtaining, verifying, and interpreting biochemical, anthropometric, physical, nutrigenomic, and dietary data in order to make decisions about the nature and cause of nutrition-related problems, including an ongoing, dynamic process that: (i) involves an initial data collection and a reassessment and analysis of client or community needs; and (ii) provides the foundation for identifying and labeling problems and making nutritional recommendations and ordering nutritional interventions, including enteral and parenteral nutrition.

"Nutrition care services" means any part of the following services provided within a systematic process:

(1) assessing and evaluating the nutritional needs of individuals and groups and determining resources and constraints in the practice setting;

(2) ordering nutrition-related laboratory tests in accordance with State law to check and track nutrition status and monitor effectiveness of nutrition interventions, dietary plans, and orders;

(3) establishing priorities, goals, and objectives that meet an individual's nutritional needs and are consistent with available resources and constraints;

(4) providing nutrition counseling in health and disease;

(5) developing, implementing, and managing nutrition care systems and food service operations;

(6) evaluating, making changes in, and maintaining appropriate standards of quality in food and nutrition services; and

(7) recommending, ordering, and providing therapeutic diets.

"Nutrition counseling" means a supportive process, characterized by a collaborative counselor-patient or counselor-client relationship with individuals or groups, to establish food and nutrition priorities, goals, and individualized action plans and general physical activity guidance that acknowledge and foster responsibility for self-care to treat an existing condition or to promote health.

"Nutrition intervention" means the purposefully planned actions and counseling intended to positively change a nutrition-related behavior, risk factor, environmental condition, or aspect of the health status for an individual, target groups, or the community at large.

"Nutrition monitoring and evaluation" means identifying patient or client outcomes relevant to the patient's or client's identified and labeled nutritional problems and comparing the outcomes with the patient's or client's previous health status, intervention goals, or reference standards to determine the progress made in achieving desired outcomes of nutrition care and whether planned nutrition interventions should be continued or revised.

"Patient" means an individual recipient of medical nutrition therapy, whether in the outpatient, inpatient, or nonclinical setting.

"Practice experience" means a preprofessional, documented, supervised experience obtained by a supervisee in the practice of ~~in~~ dietetics and ~~or~~ nutrition and the provision of medical nutrition therapy services that is acceptable to the Department as ~~in~~ compliance with requirements for licensure, as specified in Section 45. It includes a planned, continuous, and ~~may be or may include~~ a documented, supervised practice experience obtained under the supervision of a qualified supervisor, as defined in this Section, which is a component of the educational requirements for licensure, as specified in Section 45.

"Qualified supervisor" means:

(1) When supervising the provision of medical nutrition therapy by a supervisee, an individual who is:

(A) a registered dietitian nutritionist or a certified nutrition specialist;

(B) a licensed dietitian nutritionist licensed pursuant to this Act; or

(C) a health care professional licensed under the laws of the State, including a licensed or certified dietitian nutritionist, who acts under the licensed scope of practice.

(2) When supervising the provision of nutrition care services not constituting medical nutrition therapy by a supervisee, an individual who either meets the requirements of paragraph (1) or all of the following requirements:

(A) has been regularly employed or self-employed in the field of clinical nutrition for at least 3 of the last 5 years immediately preceding commencement of the applicant's supervised practice experience; and

(B) holds a doctoral degree with a major course of study in dietetics, human nutrition, foods and nutrition, community nutrition, public health nutrition, nutrition education, nutrition, nutrition science, clinical nutrition, applied clinical nutrition, nutrition counseling, nutrition and functional medicine, nutritional biochemistry, nutrition and integrative health, or an equivalent course of study as recommended by the Board and approved by the Department conferred by either:

(i) a United States regionally accredited college or university accredited at the time of graduation from the appropriate regional accrediting agency recognized by the Council on Higher Education Accreditation and the United States Department of Education; or

(ii) an institution outside the United States and its territories with the supervisor's doctoral degree validated as equivalent to the doctoral degree conferred by a United States regionally accredited college or university as recommended by the Board and approved by the Department.

A "qualified supervisor" under paragraph (1) shall be licensed in the State if supervising a supervisee providing medical nutrition therapy to an individual in the State.

"Registered dietitian" or "registered dietitian nutritionist" means an individual who is credentialed as a registered dietitian or registered dietitian nutritionist by registered with the Commission on Dietetic Registration, the accrediting body of the Academy of Nutrition and Dietetics, or its successor organization, and is authorized to use the titles "registered dietitian nutritionist" and "registered dietitian" and the corresponding abbreviations "RDN" and "RD", formerly known as the American Dietetic Association.

"Secretary" means the Secretary of Financial and Professional Regulation or a person authorized by the Secretary to act in the Secretary's stead.

"Telehealth" or "telepractice" "~~Telepractice~~" means the delivery of services under this Act by using electronic communication, information technologies, or other means between an individual licensed under this Act in one location and a patient or client in another location, with or without an intervening healthcare provider. "Telehealth" or "telepractice" includes direct, interactive patient encounters, asynchronous store-and-forward technologies, and remote monitoring by means other than in person, including, but not limited to, telephone, email, Internet, or other methods of electronic communication. Telehealth or telepractice ~~Telepractice~~ is not prohibited under this Act provided that the provision of telehealth or telepractice services is appropriate for the client and the level of care provided meets the required level of care for that client. Individuals providing services regulated by this Act via telepractice shall comply with and are subject to all licensing and disciplinary provisions of this Act.

"Therapeutic diet" means a nutrition intervention prescribed by a health care professional or other authorized practitioner that provides food or nutrients via oral, enteral, and parenteral routes as part of treatment of disease or clinical conditions to modify, eliminate, decrease, or increase identified micronutrients and macronutrients in the diet, or to provide mechanically altered food when indicated.

(Source: P.A. 97-1141, eff. 12-28-12; 98-148, eff. 8-2-13.)

(225 ILCS 30/12 new)

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

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

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

(225 ILCS 30/15) (from Ch. 111, par. 8401-15)

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

Sec. 15. License required.

(a) No person may provide, offer to provide, or attempt to provide medical nutrition therapy, whether engage for remuneration, in the practice of dietetics and nutrition services or hold himself or herself out as a licensed dietitian nutritionist or as a qualified provider of nutrition care services, including medical nutrition therapy, unless the person is licensed in accordance with this Act.

(b) This Section does not prohibit the provision of medical nutrition therapy by practice of dietetics and nutrition services by the following: (1) A person who that is licensed to practice dietetics and nutrition under the law of another state, territory of the United States, or country and has applied in writing to the Department in form and substance satisfactory to the Department for a license as a dietitian nutritionist until

(i) the expiration of 6 months after filing the written application, (ii) the withdrawal of the application, or (iii) the denial of the application by the Department.

(2) A person that is licensed to practice dietetics under the law of another state, territory of the United States, or country, or is a certified nutrition specialist, a certified clinical nutritionist, a diplomate of the American Clinical Board of Nutrition, or a registered dietitian, who has applied in writing to the Department in form and substance satisfactory to the Department for a license as a dietitian nutritionist until (i) the expiration of 6 months after the filing the written application, (ii) the withdrawal of the application, or (iii) the denial of the application by the Department.

(c) For the purposes of this Section, the "practice of dietetics and nutrition" means the integration and application of scientific principles derived from the study of food, nutrition, biochemistry, metabolism, nutrigenomics, physiology, food management, and behavioral and social sciences in achieving and maintaining patients' and clients' health throughout their life spans and in providing nutrition care services in person and via telehealth in both clinical and community settings. The primary functions of the "practice of dietetics and nutrition" are medical nutrition therapy provided for the purpose of disease management or to treat or rehabilitate an illness, injury, or condition and other nutrition care services provided for health and wellness and as primary prevention of chronic disease.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/15.5)

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

Sec. 15.5. Unlicensed practice; violation; civil penalty.

(a) Any person who ~~provides practices~~, offers to provide ~~practice~~, attempts to provide ~~practice~~, or holds oneself out as being ~~qualified, licensed, or able to provide~~ medical nutrition therapy or holds oneself out as licensed or qualified to practice dietetics and nutrition ~~services~~ without being licensed under this Act shall, in addition to any other penalty provided by law, pay a civil penalty to the Department in an amount not to exceed \$10,000 for each offense as determined by the Department. The civil penalty shall be assessed by the Department after a hearing is held in accordance with the provisions set forth in this Act regarding the provision of a hearing for the discipline of a licensee.

(b) The Department has the authority and power to investigate any and all unlicensed activity.

(c) The civil penalty shall be paid within 60 days after the effective date of the order imposing the civil penalty. The order shall constitute a judgment and may be filed and execution had thereon in the same manner as any judgment from any court of record.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/17)

Sec. 17. Other activities subject to licensure under this Act.

(a) A licensed dietitian nutritionist may order patient or resident diets, including therapeutic diets, in accordance with the following:

(1) Enteral and parenteral nutrition therapy shall consist of enteral feedings or specialized intravenous solutions and shall only be performed by an individual licensed under this Act who:

(a) is a registered dietitian or registered dietitian nutritionist currently registered with the Commission on Dietetic Registration, ~~the accrediting body of the Academy of Nutrition and Dietetics, formerly known as the American Dietetic Association;~~

(b) is a certified nutrition support clinician as currently credentialed ~~certified~~ by the National Board of Nutrition Support Certification; or

(c) meets the requirements set forth in ~~the rules that of~~ the Department may establish as necessary to implement this Section to be consistent with competencies necessary for evaluating, ordering, and administering enteral and parenteral nutrition therapies.

(2) Notification to the patient's physician and appropriate record retention, or pursuant to the protocols, policies, or procedures of a health care facility, as defined in the Illinois Health Facilities Planning Act, in which the services are provided.

(b) (2) Developing and managing food service operations whose chief function is nutrition care or that are otherwise utilized in the management or treatment of diseases or medical conditions shall only be performed by an individual licensed under this Act with competencies in the management of health care food service.

(c) A licensed dietitian nutritionist may order oral therapeutic diets.

(d) A licensed dietitian nutritionist shall provide nutrition care services using systematic, evidence-based problem solving methods of the nutrition care process to critically think and make decisions

to address nutrition-related problems and provide safe, effective, and quality nutrition services, including medical nutrition therapy, for individuals in clinical and community settings.

(Source: P.A. 98-148, eff. 8-2-13.)

(225 ILCS 30/20) (from Ch. 111, par. 8401-20)

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

Sec. 20. Exemptions. This Act does not prohibit or restrict:

(a) Any person licensed in this State under any other Act from engaging in the practice for which he or she is licensed as long as the person does not hold oneself out as qualified, able, or licensed to provide medical nutrition therapy or use a title in connection with the person's name whose use is restricted to individuals licensed under this Act, as specified in Section 80.

(b) Any person from providing medical nutrition therapy if that ~~The practice of dietetics and nutrition services by a person who~~ is employed by the United States or State government or any of its bureaus, divisions, departments, or agencies while in the discharge of the employee's official duties.

(c) ~~The distribution of general nonmedical nutrition information practice of dietetics and nutrition services~~ by a person employed as a cooperative extension home economist, to the extent the activities are part of his or her employment.

(d) ~~The provision of medical nutrition therapy practice of dietetics and nutrition services~~ by a person pursuing a course of study leading to a degree in dietetics, nutrition, or an equivalent major from a United States regionally accredited school or program, but only if all of the following apply if: (i) ~~if~~ the activities and services constitute a part of a supervised course of study; (ii) the person does not engage in the independent private practice of medical nutrition therapy; (iii) the person is appropriately supervised by a qualified supervisor who agrees to assume full professional responsibility for the work of the individual by verifying, directing, and authorizing the work; and (iv) ~~and if~~ the person is designated by a title that clearly indicates the person's status as a student, ~~or~~ trainee, or supervisee.

(e) ~~(Blank). The practice of dietetics and nutrition services by a person fulfilling the supervised practice experience component of Section 45, if the activities and services constitute a part of the experience necessary to meet the requirements of Section 45.~~

~~(e-5) The activities and services of an individual seeking to fulfill post-degree supervised practice experience requirements in order to qualify for licensing as a licensed dietitian nutritionist under this Act, so long as the individual is not engaged in the independent private practice of medical nutrition therapy and is in compliance with all applicable regulations regarding supervision, including, but not limited to, the requirement that the supervised practice experience must be under the order, control, and full professional responsibility of the individual's supervisor and the individual is designated by a title that clearly indicates the person's status as a student, trainee, or supervisee. The Department may, by rule, adopt further limitations on individuals practicing under this subsection.~~

(f) A person, including a licensed acupuncturist, from:

(1) providing verbal ~~oral~~ nutrition information as an operator or employee of a health food store or business that sells health products, including dietary supplements, food, herbs, or food materials; or

(2) disseminating written general nonmedical nutrition information in connection with the marketing and distribution of those products, or discussing the use of those products, both individually and as components of nutritional programs, including explanations of their federally regulated label claims, any known drug-nutrient interactions, their role in various nonindividualized diets, or suggestions as how to best use and combine them.

(g) The practice of dietetics and nutrition services by an educator who is in the employ of a nonprofit organization; a federal, state, county, or municipal agency, or other political subdivision; an elementary or secondary school; or a regionally accredited institution of higher education, as long as the activities and services of the educator are part of his or her employment.

(h) ~~(Blank). The practice of dietetics and nutrition services by any person who provides weight control services, provided the nutrition program has been reviewed by, consultation is available from, and no program change can be initiated without prior approval by an individual licensed under this Act, an individual licensed to practice dietetics or nutrition services in another state that has licensure requirements considered by the Department to be at least as stringent as the requirements for licensure under this Act, or a registered dietitian.~~

~~(h-5) An individual providing medical weight control services for individuals with prediabetes or obesity if:~~

(1) under a program of instruction approved in writing by, consultation is available from, and no program change can be initiated without prior approval by one of the following: a dietitian nutritionist licensed in this State; or a State-licensed health care professional lawfully practicing within the scope of a license granted by the State to provide the scope of the individual's licensed profession and consistent with accepted professional standards for providing nutrition care services to treat or manage the disease or medical condition for which medical weight control is being provided; or

(2) as part of a plan of care overseen and delegated by a State-licensed health care professional lawfully practicing within the scope of a license granted by the State to provide acting within the scope of the individual's licensed profession and consistent with accepted professional standards for providing nutrition care services to treat or manage the disease or medical condition for which medical weight control is being provided.

(i) The practice of dietetics and nutrition services for the limited purpose of education and research by any person with a masters or doctorate degree with a major in nutrition or equivalent from a regionally accredited school recognized by the Department ~~for the purpose of education and research.~~

(j) A person from providing general nonmedical nutrition information, nutrition recommendations for prevention and wellness, health coaching, holistic and wellness education, guidance, motivation, behavior change management, nonmedical weight control, or other nutrition care services provided that any such services do not constitute medical nutrition therapy and as long as the person does not hold oneself out as qualified, able, or licensed to provide medical nutrition therapy or use a title in connection with the individual's name whose use is restricted to individuals licensed under this Act, as specified in Section 80 ~~or encouragement of general healthy eating choices that does not include the development of a customized nutrition regimen for a particular client or individual, or from providing encouragement for compliance with a customized nutrition plan prepared by a licensed dietitian nutritionist or any other licensed professional whose scope of practice includes nutrition assessment and counseling.~~

(k) The provision of nutrition care services by a nutrition and dietetic technician or ~~practice of dietetics and nutrition services by~~ a graduate of a 2 year associate program or a 4 year baccalaureate program from a school or program accredited at the time of graduation by the appropriate accrediting agency recognized by the Council for ~~on~~ Higher Education Accreditation and the United States Department of Education with a major course of study in human nutrition, food and nutrition or its equivalent, as authorized by the Department, who is directly supervised by an individual licensed under this Act.

(l) Providing nutrition information as an employee of a nursing facility operated exclusively by and for those relying upon spiritual means through prayer alone for healing in accordance with the tenets and practices of a recognized church or religious denomination.

(m) A dietary technical support person working in a hospital setting or a regulated Department of Public Health, Department of Human Services, or Department on Aging facility or program who has been trained and is supervised while engaged in the practice of dietetics and nutrition by a licensed dietitian nutritionist in accordance with this Act and whose services are retained by that facility or program on a full-time or regular, ongoing consultant basis.

(n) The provision of nutrition care services without remuneration to family members.

(o) The practice of dietetics and nutrition for a period not exceeding 6 months by a person who is in the State on a temporary basis to assist in a case of public health emergency and who meets the qualifications for a licensed dietitian nutritionist as set forth in Section 45 and is licensed in another state as a provider of medical nutrition therapy.

The provisions of this Act shall not be construed to prohibit or limit any person from the free dissemination of information, from conducting a class or seminar, or from giving a speech related to nutrition if that person does not hold himself or herself out as a licensed dietitian nutritionist in a manner prohibited by Section 15.

Nothing in this Section shall be construed to permit a student, trainee, or supervisee to offer the student's, trainee's, or supervisee's services as a dietitian or nutritionist to any other person, other than as specifically excepted in this Section, unless the student, trainee, or supervisee is licensed under this Act.

The provisions of this Act shall not be construed to prohibit or limit any physician licensed under the Medical Practice Act of 1987 from practicing or delegating nutrition-related therapies and procedures by consultation, by organization policy, or by contract to an appropriately trained, qualified, and supervised individual licensed under this Act.

Nothing in this Act shall be construed to limit the ability of any other licensed health care professional in this State to order therapeutic diets if the ordering of therapeutic diets falls within the scope of the licensee's license.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/30) (from Ch. 111, par. 8401-30)

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

Sec. 30. Dietitian Nutritionist Practice Board. The Secretary shall appoint a Dietitian Nutritionist Practice Board as follows: 7 individuals who shall be appointed by and shall serve in an advisory capacity to the Secretary. Of these 7 individuals, 6 members must be licensed under this Act, 4 ~~2~~ of which must be a registered dietitian and 2 of which must be either a certified clinical nutritionist licensed by the Department prior to the effective date of this amendatory Act of the 102nd General Assembly, a certified nutrition specialist, or a diplomate of the American Clinical Board of Nutrition, and one member must be a public member not licensed under this Act.

Members shall serve 3-year terms and until their successors are appointed and qualified. No member shall be reappointed to the Board for a term that would cause his or her continuous service on the Board to be longer than 8 years. Appointments to fill vacancies shall be made in the same manner as original appointments, for the unexpired portion of the vacated term.

Insofar as possible, the licensed professionals appointed to serve on the Board shall be generally representative of the geographical distribution of licensed professionals within this State. Any time there is a vacancy on the Board, any professional association composed of persons licensed under this Act may recommend licensees to fill the vacancy to the Board for the appointment of licensees.

A vacancy in the membership of the Board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the Board.

Members of the Board shall have no liability in any action based upon any disciplinary proceeding or other activity performed in good faith as members of the Board.

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

The Secretary shall consider the recommendation of the Board on questions of standards of professional conduct, discipline, and qualifications of candidates or licensees under this Act.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/35) (from Ch. 111, par. 8401-35)

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

Sec. 35. Applications. Applications for original licensure shall be made to the Department in writing on forms or electronically as prescribed by the Department and shall be accompanied by the appropriate documentation and the required fee, which shall not be returnable. Every application shall require the information that in the judgment of the Department will enable the Department to pass on the qualifications of the applicant for a license. An applicant has 3 years after the date of application to complete the application process. If the process has not been completed in 3 years, then the application shall be denied, the fee shall be forfeited, and the applicant must reapply and meet the requirements in effect at the time of reapplication. All applications shall contain information that, in the judgment of the Department, will enable the Department to assess the qualifications of the applicant for a license under this Act.

(Source: P.A. 87-784.)

(225 ILCS 30/40) (from Ch. 111, par. 8401-40)

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

Sec. 40. Examinations. The Department shall authorize examinations of applicants for a license under this Act at the times and places that it may determine. The examination of applicants shall be of a character to give a fair test of the qualifications of the applicant to practice dietetics and nutrition services. The Department or its designated testing service shall provide initial screening to determine eligibility of applicants for examination.

Applicants for examination shall be required to pay, either to the Department or the designated testing service, a fee covering the cost of providing the examination. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.

Whenever the Secretary is not satisfied that substantial justice has been done in an examination, the Secretary may order a reexamination.

If an applicant neglects, fails, or refuses to take an examination or fails to pass an examination for a license under this Act within 3 years after filing an application, the application shall be denied. However, the applicant may thereafter make a new application accompanied by the required fee and shall meet the requirements for licensure in force at the time of making the new application.

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

(Source: P.A. 92-642, eff. 10-31-03.)

(225 ILCS 30/45) (from Ch. 111, par. 8401-45)

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

Sec. 45. Dietitian nutritionist; qualifications. A person who meets all of the following requirements is ~~shall be qualified to receive a license for licensure~~ as a dietitian nutritionist ~~if that person meets all of the following requirements:~~

(a) ~~has~~ ~~Has~~ applied in writing in form and substance acceptable to the Department and ~~submits proof of completion of all of the following educational, supervised practice experience, and examination requirements:~~

~~(a-5) possesses a baccalaureate degree or post baccalaureate degree with a major course of study in human nutrition, foods and nutrition, dietetics, food systems management, nutrition education, nutrition, nutrition science, clinical nutrition, applied clinical nutrition, nutrition counseling, nutrition and functional medicine, nutritional biochemistry, nutrition and integrative health, or an equivalent major course of study as recommended by the Board and approved by the Department from a school or program accredited at the time of graduation from the appropriate regional accrediting agency recognized by the Council for Higher Education Accreditation and the United States Department of Education or a college or university in a foreign country that is substantially equivalent to the educational requirements in this Section, as recommended by the Board and approved by the Department. All education programs under this Section shall include education leading to competence in medical nutrition therapy. The Department may adopt rules as necessary to enforce this provision:-~~

~~(b) has~~ ~~Has~~ successfully completed an examination authorized by the Department which may be or may include examinations given by each of the American Clinical Board of Nutrition, the Certification Board of Nutrition Specialists, ~~the Clinical Nutrition Certification Board,~~ and the Commission on Dietetic Registration, or another examination approved by the Department. ~~Before the effective date of this amendatory Act of the 102nd General Assembly, the Department may include examinations given by the Clinical Nutrition Certification Board.~~

The Department shall establish by rule a waiver of the examination requirement to applicants who, at the time of application, are acknowledged to be ~~certified clinical nutritionists by the Clinical Nutrition Certification Board,~~ certified nutrition specialists by the Certification Board of Nutrition Specialists, diplomates of the American Clinical Board of Nutrition, or registered dietitians by the Commission on Dietetic Registration and who are in compliance with other qualifications as included in the Act. ~~Prior to the effective date of this amendatory Act of the 102nd General Assembly, the Department may waive of the examination requirement to applicants who, at the time of application, are acknowledged to be certified clinical nutritionists by the Clinical Nutrition Certification Board; and~~

~~(c) has~~ ~~Has~~ completed a dietetic internship or documented, supervised practice experience in dietetics and nutrition services of not less than 900 hours under the supervision of a ~~qualified supervisor certified clinical nutritionist, certified nutrition specialist, diplomate of the American Clinical Board of Nutrition, registered dietitian or a licensed dietitian nutritionist, a State licensed healthcare practitioner, or an individual with a doctoral degree conferred by a U.S. regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics, food systems management, nutrition, nutrition science, clinical nutrition, applied clinical nutrition, nutrition counseling, nutrition and functional medicine, or nutrition and integrative health. Supervised practice experience must be completed in the United States or its territories. Supervisors who obtained their doctoral degree outside the United States and its territories must have their degrees validated as equivalent to the doctoral degree conferred by a U.S. regionally accredited college or university. All supervised practice experience under this Section shall include training leading to competence in medical nutrition therapy. The Department may adopt rules as necessary to enforce this provision. Prior to the effective date of this amendatory Act of the 102nd General Assembly, supervised practice experience in dietetics and nutrition services of not less than 900 hours under the supervision of a certified clinical nutritionist may also be accepted.~~

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/70) (from Ch. 111, par. 8401-70)

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

Sec. 70. Inactive status; restoration; military service.

(a) Any person who notifies the Department in writing on forms or electronically as prescribed by the Department may elect to place his or her license on an inactive status and shall, subject to rules of the Department, be excused from payment of renewal fees until he or she notifies the Department in writing of the desires to resume active status.

(b) A licensee who has permitted his or her license to expire or who has had his or her license on inactive status may have the license restored by making application to the Department by filing proof acceptable to the Department of his or her fitness to have the license restored and by paying the required fees. Proof of fitness may include sworn evidence certifying to active lawful practice in another jurisdiction. If the licensee has not maintained an active practice in another jurisdiction satisfactory to the Department, then the Department shall determine, by an evaluation program established by rule, his or her fitness for restoration of the license and shall establish procedures and requirements for restoration.

(c) A licensee 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 before induction into the military service, may have the license restored without paying any lapsed renewal fees if within 2 years after honorable termination of the 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.

(d) Any person requesting restoration from inactive status shall be required to pay the current renewal fee, shall meet continuing education requirements, and shall be required to restore his or her license as provided in Section 65 of this Act.

(e) A person licensed under this Act whose license is on inactive status or in a non-renewed status shall not provide medical nutrition therapy ~~engage in the practice of dietetics or nutrition services~~ in the State of Illinois or use the title or advertise that he or she performs the services of a licensed dietitian nutritionist.

(f) Any person violating this Section shall be considered to be practicing without a license and will be subject to the disciplinary provisions of this Act.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/75) (from Ch. 111, par. 8401-75)

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

Sec. 75. Endorsement. The Department may, in its discretion, license as a dietitian nutritionist, without examination, on payment of required fee, an applicant who is a dietitian, dietitian nutritionist, or nutritionist, ~~or nutrition counselor~~ licensed or certified under the laws of another state, territory, or country, if the Department determines that the requirements for licensure in the state, territory, or country in which the applicant was licensed were, at the date of his or her licensure, substantially equal to the requirements of this Act.

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

(Source: P.A. 92-642, eff. 10-31-03.)

(225 ILCS 30/76 new)

Sec. 76. Grandfathering. An individual licensed as a dietitian in the State on the effective date of this amendatory Act of the 102nd General Assembly shall be eligible to maintain and renew a license as a licensed dietitian nutritionist in the State consistent with this Act if that individual meets the renewal requirements set forth in this Act. An individual licensed as a dietitian nutritionist on the effective date of this amendatory Act of the 102nd General Assembly shall not be required to complete any education, experience, or exam requirements specified in Section 45 beyond those which were required when the individual was originally licensed.

(225 ILCS 30/80) (from Ch. 111, par. 8401-80)

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

Sec. 80. Use of title; advertising.

(a) Only a person who is issued a license as a dietitian nutritionist under this Act may use the words "licensed dietitian nutritionist", "dietitian nutritionist", or "dietitian", "~~licensed nutritionist~~", or "~~nutrition counselor~~" or the letters "L.D.N." or holds oneself out as qualified or licensed to practice under this Act in connection with his or her name.

(b) A licensee shall include in every advertisement for services regulated under this Act his or her title as it appears on the license or the initials authorized under this Act. Advertisements shall not include false, fraudulent, deceptive, or misleading material or guarantees of success.

(c) Use of an earned, federally trademarked nutrition credential is not prohibited, but such use does not give an individual the right to practice dietetics or nutrition or provide medical nutrition therapy unless the individual is licensed under this Act.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/100) (from Ch. 111, par. 8401-100)

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

Sec. 100. Injunctions; cease and desist orders.

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

(b) If any person provides, offers to provide, attempts to provide practices as a dietitian-nutritionist or holds himself or herself out as qualified, licensed, or able to provide medical nutrition therapy or holds oneself out as licensed or qualified to practice dietetics and nutrition or holds oneself out as a licensed dietitian nutritionist or uses words or letters in connection with the person's name in violation of Section 80 such without having a valid license under this Act, then any licensee, any interested party, or any person injured thereby may, in addition to the Secretary, petition for relief as provided in subsection (a) of this Section.

(c) Whenever in the opinion of the Department any person violates any provision of this Act, the Department may issue a rule to show cause why an order to cease and desist should be entered against him or her. The rule shall clearly set forth the grounds relied upon the Department and shall provide a period of 7 days from the date of the rule to file an answer to the satisfaction of the Department. Failure to answer to the satisfaction of the Department shall cause in order to cease and desist to be issued immediately.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/105) (from Ch. 111, par. 8401-105)

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

Sec. 105. Investigation; notice and hearing. The Department may investigate the actions or qualifications of any applicant or of any person or persons holding or claiming to hold a license or certificate of registration. The Department shall, before refusing to issue or renew a license or to discipline a licensee under Section 95, at least 30 days before the date set for the hearing, (i) notify the accused in writing of any charges made and the time and place for a hearing of the charges ~~before the Board~~, (ii) direct him or her to file his or her written answer to the charges ~~with the Board~~ under oath within 20 days after the service of the notice, and (iii) inform the applicant or licensee that failure to file an answer shall result in a default judgment being entered ~~taken~~ against the applicant or licensee. At the time and place fixed in the notice, the Department shall proceed to hear the charges and the parties or their counsel shall be accorded ample opportunity to present any pertinent statements, testimony, evidence, and arguments. The Department may continue the hearing from time to time. In case the person, after receiving the notice, fails to file an answer, his or her license, may, in the discretion of the Department, be revoked, suspended, or placed on probationary status or the Department may take whatever disciplinary action considered proper, including limiting the scope, nature, or extent of the person's practice or the imposition of a fine, without a hearing, if the act or acts charged constitute sufficient grounds for that action under the Act. The written notice and any notice in the subsequent proceeding may be served by ~~registered or certified~~ mail to the licensee's address of record or by email to the licensee's email address of record.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/110) (from Ch. 111, par. 8401-110)

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

Sec. 110. Record of hearing. The Department, at its expense, shall provide a certified shorthand reporter to take down the testimony and preserve a record of all proceedings at the hearing of any case in which a licensee may be revoked, suspended, placed on probationary status, reprimanded, fined, or

subjected to other disciplinary action with reference to the license when a disciplinary action is authorized under this Act and its rules. The notice of hearing, complaint, and all other documents in the nature of pleadings and written portions filed in the proceedings, the transcript of the testimony, the report of the hearing officer, and the orders of the Department shall be the records of the proceedings. The record may be made available to any person interested in the hearing upon payment of the fee required by Section 2105-115 of the Department of Professional Regulation Law of the Civil Administrative Code of Illinois preserve a record of all proceedings at the formal hearing of any case. The notice of hearing, complaint, and other documents in the nature of pleadings and written motions filed in the proceedings, the transcript of testimony, the report of the Board, and orders of the Department shall be in the record of the proceedings.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/125) (from Ch. 111, par. 8401-125)

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

Sec. 125. Motion for rehearing. In any case hearing involving the refusal to issue or renew or the discipline of a licensee, a copy of the Board's report shall be served upon the respondent by the Department, either personally or as provided in this Act for the service of the notice of hearing. Within 20 calendar days after the service, the respondent may present to the Department a motion in writing for a rehearing which shall specify the particular grounds for rehearing. If no motion for rehearing is filed, then upon the expiration of the time specified for filing a motion, or if motion for rehearing is denied, then upon denial, the Secretary may enter an order in accordance with recommendations of the Board, except as provided for in Section 120. If the respondent orders a transcript of the record from the reporting service and pays for it within the time for filing a motion for rehearing, the 20 calendar day period within which a motion for rehearing may be filed shall commence upon the delivery of the transcript to the respondent.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/140) (from Ch. 111, par. 8401-140)

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

Sec. 140. Order; certified copy. An order or a certified copy of an order, over the seal of the Department and purporting to be signed by the Secretary, shall be prima facie proof:

- (a) that the signature is the genuine signature of the Secretary; ~~and~~
- (b) that the Secretary is duly appointed and qualified; ~~and-~~
- (c) that the Board and the members of the Board are qualified to act.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/165) (from Ch. 111, par. 8401-165)

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

Sec. 165. Certification of record; receipt. The Department shall not be required to certify any record to the Court or file any answer in court or otherwise appear in any court in a judicial review proceeding, unless and until the Department has received from the plaintiff payment of the costs of furnishing and certifying the record, which costs shall be determined by the Department. ~~Exhibits shall be certified without cost.~~ Failure on the part of the plaintiff to file a receipt in Court is grounds for dismissal of the action.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/175) (from Ch. 111, par. 8401-175)

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

Sec. 175. Illinois Administrative Procedure Act. The Illinois Administrative Procedure Act is expressly adopted and incorporated as if all of the provisions of that Act were included in this Act, except that the provision of paragraph (d) of Section 10-65 of the Illinois Administrative Procedure Act, which provides that at hearings the licensee or person holding a license has the right to show compliance with all lawful requirements for retention or continuation of the license, is specifically excluded. For the purpose of this Act, the notice required under Section 10-25 of the Illinois Administrative Procedure Act is deemed sufficient when mailed to the last known address of record of a party or when emailed to the last known email address of record of a party.

(Source: P.A. 97-1141, eff. 12-28-12.)

(225 ILCS 30/37 rep.)

(225 ILCS 30/90 rep.)

(225 ILCS 30/150 rep.)

Section 15. The Dietitian Nutritionist Practice Act is amended by repealing Sections 37, 90, and 150.

Section 99. Effective date. This Act takes effect January 1, 2023, except that this Section and Section 5 take effect upon becoming law."

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

On motion of Senator Hunter, **House Bill No. 4674** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4674

AMENDMENT NO. 1. Amend House Bill 4674 by replacing everything after the enacting clause with the following:

"Section 5. The Nursing Home Care Act is amended by changing Sections 3-212 and 3-702 as follows:

(210 ILCS 45/3-212) (from Ch. 111 1/2, par. 4153-212)

Sec. 3-212. Inspection.

(a) The Department, whenever it deems necessary in accordance with subsection (b), shall inspect, survey and evaluate every facility to determine compliance with applicable licensure requirements and standards. Submission of a facility's current Consumer Choice Information Report required by Section 2-214 shall be verified at time of inspection. An inspection should occur within 120 days prior to license renewal. The Department may periodically visit a facility for the purpose of consultation. An inspection, survey, or evaluation, other than an inspection of financial records, shall be conducted without prior notice to the facility. A visit for the sole purpose of consultation may be announced. The Department shall provide training to surveyors about the appropriate assessment, care planning, and care of persons with mental illness (other than Alzheimer's disease or related disorders) to enable its surveyors to determine whether a facility is complying with State and federal requirements about the assessment, care planning, and care of those persons.

(a-1) An employee of a State or unit of local government agency charged with inspecting, surveying, and evaluating facilities who directly or indirectly gives prior notice of an inspection, survey, or evaluation, other than an inspection of financial records, to a facility or to an employee of a facility is guilty of a Class A misdemeanor.

An inspector or an employee of the Department who intentionally prenotifies a facility, orally or in writing, of a pending complaint investigation or inspection shall be guilty of a Class A misdemeanor. Superiors of persons who have prenotified a facility shall be subject to the same penalties, if they have knowingly allowed the prenotification. A person found guilty of prenotifying a facility shall be subject to disciplinary action by his or her employer.

If the Department has a good faith belief, based upon information that comes to its attention, that a violation of this subsection has occurred, it must file a complaint with the Attorney General or the State's Attorney in the county where the violation took place within 30 days after discovery of the information.

(a-2) An employee of a State or unit of local government agency charged with inspecting, surveying, or evaluating facilities who willfully profits from violating the confidentiality of the inspection, survey, or evaluation process shall be guilty of a Class 4 felony and that conduct shall be deemed unprofessional conduct that may subject a person to loss of his or her professional license. An action to prosecute a person for violating this subsection (a-2) may be brought by either the Attorney General or the State's Attorney in the county where the violation took place.

(a-3) The Department shall by rule establish guidelines for required continuing education of all employees who inspect, survey, or evaluate a facility. The Department shall offer continuing education opportunities at least quarterly. Employees of a State agency charged with inspecting, surveying, or evaluating a facility are required to complete at least 10 hours of continuing education annually on topics that support the survey process, including, but not limited to, trauma-informed care, infection control, abuse and neglect, and civil monetary penalties. Qualifying hours of continuing education intended to fulfill the requirements of this subsection shall only be offered by the Department. Content presented during the continuing education shall be consistent throughout the State, regardless of survey region. The continuing education required under this subsection is separate from any continuing education required for any license that the employee holds.

(b) In determining whether to make more than the required number of unannounced inspections, surveys and evaluations of a facility the Department shall consider one or more of the following: previous inspection reports; the facility's history of compliance with standards, rules and regulations promulgated under this Act and correction of violations, penalties or other enforcement actions; the number and severity of complaints received about the facility; any allegations of resident abuse or neglect; weather conditions; health emergencies; other reasonable belief that deficiencies exist.

(b-1) The Department shall not be required to determine whether a facility certified to participate in the Medicare program under Title XVIII of the Social Security Act, or the Medicaid program under Title XIX of the Social Security Act, and which the Department determines by inspection under this Section or under Section 3-702 of this Act to be in compliance with the certification requirements of Title XVIII or XIX, is in compliance with any requirement of this Act that is less stringent than or duplicates a federal certification requirement. In accordance with subsection (a) of this Section or subsection (d) of Section 3-702, the Department shall determine whether a certified facility is in compliance with requirements of this Act that exceed federal certification requirements. If a certified facility is found to be out of compliance with federal certification requirements, the results of an inspection conducted pursuant to Title XVIII or XIX of the Social Security Act may be used as the basis for enforcement remedies authorized and commenced, with the Department's discretion to evaluate whether penalties are warranted, under this Act. Enforcement of this Act against a certified facility shall be commenced pursuant to the requirements of this Act, unless enforcement remedies sought pursuant to Title XVIII or XIX of the Social Security Act exceed those authorized by this Act. As used in this subsection, "enforcement remedy" means a sanction for violating a federal certification requirement or this Act.

(c) Upon completion of each inspection, survey and evaluation, the appropriate Department personnel who conducted the inspection, survey or evaluation shall submit a physical or electronic copy of their report to the licensee upon exiting the facility, and shall submit the actual report to the appropriate regional office of the Department. Such report and any recommendations for action by the Department under this Act shall be transmitted to the appropriate offices of the associate director of the Department, together with related comments or documentation provided by the licensee which may refute findings in the report, which explain extenuating circumstances that the facility could not reasonably have prevented, or which indicate methods and timetables for correction of deficiencies described in the report. Without affecting the application of subsection (a) of Section 3-303, any documentation or comments of the licensee shall be provided within 10 days of receipt of the copy of the report. Such report shall recommend to the Director appropriate action under this Act with respect to findings against a facility. The Director shall then determine whether the report's findings constitute a violation or violations of which the facility must be given notice. Such determination shall be based upon the severity of the finding, the danger posed to resident health and safety, the comments and documentation provided by the facility, the diligence and efforts to correct deficiencies, correction of the reported deficiencies, the frequency and duration of similar findings in previous reports and the facility's general inspection history. Violations shall be determined under this subsection no later than 75 days after completion of each inspection, survey and evaluation.

(d) The Department shall maintain all inspection, survey and evaluation reports for at least 5 years in a manner accessible to and understandable by the public.

(e) Revisit surveys. The Department shall conduct a revisit to its licensure and certification surveys, consistent with federal regulations and guidelines.

(f) Notwithstanding any other provision of this Act, the Department shall, no later than 180 days after the effective date of this amendatory Act of the 98th General Assembly, implement a single survey process that encompasses federal certification and State licensure requirements, health and life safety requirements, and an enhanced complaint investigation initiative.

(1) To meet the requirement of a single survey process, the portions of the health and life safety survey associated with federal certification and State licensure surveys must be started within 7 working days of each other. Nothing in this paragraph (1) of subsection (f) of this Section applies to a complaint investigation.

(2) The enhanced complaint and incident report investigation initiative shall permit the facility to challenge the amount of the fine due to the excessive length of the investigation which results in one or more of the following conditions:

(A) prohibits the timely development and implementation of a plan of correction;

(B) creates undue financial hardship impacting the quality of care delivered to the resident;

- (C) delays initiation of corrective training; and
- (D) negatively impacts quality assurance and patient improvement standards.

This paragraph (2) does not apply to complaint investigations exited within 14 working days or a situation that triggers an extended survey.

(Source: P.A. 98-104, eff. 7-22-13.)

(210 ILCS 45/3-702) (from Ch. 111 1/2, par. 4153-702)

Sec. 3-702. (a) A person who believes that this Act or a rule promulgated under this Act may have been violated may request an investigation. The request may be submitted to the Department in writing, by telephone, by electronic means, or by personal visit. An oral complaint shall be reduced to writing by the Department. The Department shall make available, through its website and upon request, information regarding the oral and phone intake processes and the list of questions that will be asked of the complainant. The Department shall request information identifying the complainant, including the name, address and telephone number, to help enable appropriate follow-up. The Department shall act on such complaints via on-site visits or other methods deemed appropriate to handle the complaints with or without such identifying information, as otherwise provided under this Section. The complainant shall be informed that compliance with such request is not required to satisfy the procedures for filing a complaint under this Act. The Department must notify complainants that complaints with less information provided are far more difficult to respond to and investigate.

(b) The substance of the complaint shall be provided in writing to the licensee, owner, or administrator no earlier than at the commencement of an on-site inspection of the facility which takes place pursuant to the complaint.

(c) The Department shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure or the investigation results in a judicial proceeding, or unless disclosure is essential to the investigation. The complainant shall be given the opportunity to withdraw the complaint before disclosure. Upon the request of the complainant, the Department may permit the complainant or a representative of the complainant to accompany the person making the on-site inspection of the facility.

(d) Upon receipt of a complaint, the Department shall determine whether this Act or a rule promulgated under this Act has been or is being violated. The Department shall investigate all complaints alleging abuse or neglect within 7 calendar days after the receipt of the complaint except that complaints of abuse or neglect which indicate that a resident's life or safety is in imminent danger shall be investigated within 24 hours after receipt of the complaint. All other complaints shall be investigated within 30 calendar days after the receipt of the complaint. The Department employees investigating a complaint shall conduct a brief, informal exit conference with the facility to alert its administration of any suspected serious deficiency that poses a direct threat to the health, safety or welfare of a resident to enable an immediate correction for the alleviation or elimination of such threat. Such information and findings discussed in the brief exit conference shall become a part of the investigating record but shall not in any way constitute an official or final notice of violation as provided under Section 3-301. All complaints shall be classified as "an invalid report", "a valid report", or "an undetermined report". For any complaint classified as "a valid report", the Department must determine within 7 calendar ~~30 working~~ days after any Department employee enters a facility to begin an on-site inspection if any rule or provision of this Act has been or is being violated.

(d-1) The Department shall, whenever possible, combine an on-site investigation of a complaint in a facility with other inspections in order to avoid duplication of inspections.

(e) In all cases, the Department shall inform the complainant of its findings within 5 calendar ~~40~~ days of its determination unless otherwise indicated by the complainant, and the complainant may direct the Department to send a copy of such findings to another person. The Department's findings may include comments or documentation provided by either the complainant or the licensee pertaining to the complaint. The Department shall also notify the facility of such findings within 5 calendar ~~40~~ days of the determination, but the name of the complainant or residents shall not be disclosed in this notice to the facility. The notice or statement of deficiency of such findings shall include a copy of the written determination; the correction order, if any; the warning notice, if any; the inspection report; or the State licensure form on which the violation is listed. If a facility is found to have violated any provision of this Act or rule adopted under this Act, the facility shall develop a plan of correction to address deficiencies indicated in a statement of deficiency. The facility shall submit the plan of correction to the Department for approval. The Department must approve or deny the plan of correction within 72 hours after receiving the plan of correction. If the facility's plan of correction is denied, the Department must notify the facility within 48 hours after the denial determination and provide specific reasons for the denial, a process to remedy the

denial, and requests for additional information, as needed, and complete the plan of correction determination process within 48 hours after receiving requested information from the facility. The Department shall complete an on-site revisit or desk revisit within 7 calendar days after approval of the facility's plan of correction. During the on-site or desk revisit, the Department must address the approved plan of correction and clear any outstanding violation for which a plan of correction has been approved before beginning a new complaint investigation or annual review. If the Department receives an abuse or neglect complaint that indicates a resident is in immediate danger within the same time frame during which an on-site revisit must be completed, the Department must conduct the on-site revisit simultaneously with the new complaint investigation. Under no circumstance may a violation remain open if the Department has approved the facility's plan of correction. If a facility fails to remedy the violation for which an on-site revisit is being conducted, the facility must correct any outstanding violation. Once the facility has notified the Department that the facility is in compliance with the plan of correction, the Department must complete an on-site revisit within 7 calendar days. If the Department fails to complete a revisit within 7 calendar days after approving a facility's plan of correction, the facility shall be considered to be in substantial compliance.

(f) A written determination, correction order, or warning notice concerning a complaint, together with the facility's response, shall be available for public inspection, but the name of the complainant or resident shall not be disclosed without his consent.

(g) A complainant who is dissatisfied with the determination or investigation by the Department may request a hearing under Section 3-703. The facility shall be given notice of any such hearing and may participate in the hearing as a party. If a facility requests a hearing under Section 3-703 which concerns a matter covered by a complaint, the complainant shall be given notice and may participate in the hearing as a party. A request for a hearing by either a complainant or a facility shall be submitted in writing to the Department within 30 days after the mailing of the Department's findings as described in subsection (e) of this Section. Upon receipt of the request the Department shall conduct a hearing as provided under Section 3-703.

(g-5) The Department shall conduct an annual review of all survey activity from the preceding fiscal year and make a report concerning the complaint and survey process. The report shall include, but not be limited to: ~~that includes~~ the total number of complaints received; the breakdown of 24-hour, 7-day, and 30-day complaints; the breakdown of anonymous and non-anonymous complaints; ~~and whether~~ the number of complaints that were substantiated versus unsubstantiated; ~~or not~~, the total number of substantiated complaints that were completed in the time frame determined under subsection (d); the total number of informal dispute resolutions requested; the total number of informal dispute resolution requests approved; the total number of informal dispute resolutions that were overturned or reduced in severity; the total number of nurse surveyors hired during the calendar year; the total number of nurse surveyors who left Department employment; the average length of tenure for nurse surveyors employed by the Department at the time the report is created; the total number of times the Department recommended a discretionary denial of payment for new Medicare or Medicaid admissions and how much time existed between the start of that denial and when the facility was notified, with a start date for the denial of payment that is (i) less than 15 days after the date of the Department's notice to the facility, (ii) at least 15 days and less than 31 days after the date of the Department's notice to the facility, (iii) at least 31 days and less than 60 days after the date of the Department's notice to the facility, and (iv) at least 60 days after the date of the Department's notice to the facility; and any other complaint information requested by the Long-Term Care Facility Advisory Board created under Section 2-204 of this Act or the Illinois Long-Term Care Council created under Section 4.04a of the Illinois Act on the Aging. This report shall be provided to the Long-Term Care Facility Advisory Board, the Illinois Long-Term Care Council, and the General Assembly. The Long-Term Care Facility Advisory Board and the Illinois Long-Term Care Council shall review the report and suggest any changes deemed necessary to the Department for review and action, including how to investigate and substantiate anonymous complaints.

(h) Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(8) of Section 26-1 of the Criminal Code of 2012. (Source: P.A. 102-432, eff. 8-20-21)."

Floor Amendment No. 2 was referred to the Committee on Assignments earlier today.
There being no further amendments, the bill, as amended, was ordered to a third reading.

On motion of Senator Belt, **House Bill No. 4690** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 4700** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Gillespie, **House Bill No. 4703** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Glowiak Hilton, **House Bill No. 4716** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 4716

AMENDMENT NO. 1. Amend House Bill 4716 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27-24.9 as follows:
(105 ILCS 5/27-24.9)

Sec. 27-24.9. Driver education standards. The State Board of Education, in consultation with the Secretary of State, an association representing teachers of driver education, students, education practitioners, including, but not limited to, teachers in colleges of education, administrators, and regional superintendents of schools, shall adopt rigorous learning course content standards for the classroom and laboratory phases of driver education for novice teen drivers those persons under the age of 18 years, including, but not limited to, the Novice Teen Driver Education and Training Administrative Standards developed and written by the Association of National Stakeholders in Traffic Safety Education in affiliation with the National Highway Transportation Safety Administration. The national learning standards may be adapted to meet Illinois licensing and educational requirements, including classroom and behind-the-wheel hours and the cognitive, physiological, and psychological aspects of, which shall include the safe operation of a motor vehicle and equipment of motor vehicles. As the national standards are updated, the Board shall update these learning standards.

(Source: P.A. 97-1025, eff. 1-1-13.)".

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

On motion of Senator Bennett, **House Bill No. 4724** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Pacione-Zayas, **House Bill No. 4728** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Harmon, **House Bill No. 4736** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villa, **House Bill No. 4797** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Loughran Cappel, **House Bill No. 4798** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Murphy, **House Bill No. 4811** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fowler, **House Bill No. 4821** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Morrison, **House Bill No. 4825** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bush, **House Bill No. 4922** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Martwick, **House Bill No. 4924** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Fine, **House Bill No. 4941** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator S. Turner, **House Bill No. 4986** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 4990** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Belt, **House Bill No. 4994** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator S. Turner, **House Bill No. 4998** having been printed, was taken up and 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 HOUSE BILL 4998

AMENDMENT NO. 1 . Amend House Bill 4998 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Human Services Act is amended by adding Section 1-75 as follows:
(20 ILCS 1305/1-75 new)

Sec. 1-75. Homeless services and supportive housing; veterans data. The Department's Bureau of Homeless Services and Supportive Housing within the Office of Family Support Services shall annually review and collect data on the number of military veterans receiving services or benefits under the Emergency and Transitional Housing Program, the Emergency Food Program, the Homeless Prevention Program, the Supporting Housing Program, and the Prince Home at Manteno administered by the Department of Veterans' Affairs. The Bureau may request and receive the cooperation of the Department of Veterans' Affairs and any other State agency that is relevant to the collection of the data required under this Section. The Bureau shall annually submit to the General Assembly a written report that details the number of military veterans served under each program no later than December 31, 2023 and every December 31 thereafter."

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

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Holmes moved that **Senate Joint Resolution No. 52**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

[March 23, 2022]

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

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 52

AMENDMENT NO. 1. Amend Senate Joint Resolution 52 by deleting everything after the heading and replacing it with the following:

"WHEREAS, The State Board of Education has filed its Report on Waivers of School Code Mandates, dated January 28, 2022, with the House of Representatives, the Senate, and the Secretary of State of Illinois as required by Section 2-3.25g of the School Code; and

WHEREAS, The General Assembly finds that these requests have not been conducted with the most appropriate procedure for district-wide financial changes that have far reaching impacts on local communities; and

WHEREAS, The General Assembly finds that school finance changes should be handled in a consistent manner in consultation with ISBE, which shall provide recommendations on the best procedure to ensure changes to these requirements in the future are given the necessary scrutiny to ensure the best outcomes for school districts and communities; and

WHEREAS, The General Assembly will assess this issue thoroughly and address the underlying issues to ensure that the waiver process is used for its intended purpose; 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 waiver request made by Indian Prairie Unit School District #204, identified in the report filed by the State Board of Education as request M-300-6892, is approved; and be it further

RESOLVED, That the waiver request made by Naperville Unit School District #203, identified in the report filed by the State Board of Education as request M-300-6897, is approved; and be it further

RESOLVED, That this resolution adopted by the General Assembly in whole or in part shall be binding on the Illinois State Board of Education."

Senator Holmes moved that Senate Joint Resolution No. 52, as amended, be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 41; NAYS 8.

The following voted in the affirmative:

| | | | |
|-------------|----------------|-----------------|---------------|
| Aquino | Fine | Koehler | Sims |
| Belt | Fowler | Landek | Stadelman |
| Bennett | Gillespie | Loughran Cappel | Turner, D. |
| Bush | Glowiak Hilton | Martwick | Van Pelt |
| Castro | Harris | Morrison | Villa |
| Collins | Hastings | Muñoz | Villanueva |
| Connor | Holmes | Murphy | Villivalam |
| Cunningham | Hunter | Pacione-Zayas | Mr. President |
| Curran | Johnson | Pappas | |
| Ellman | Jones, E. | Peters | |
| Feigenholtz | Joyce | Simmons | |

The following voted in the negative:

| | | |
|----------|---------|------------|
| Anderson | McClure | Turner, S. |
|----------|---------|------------|

[March 23, 2022]

Bailey
DeWitte

Plummer
Syverson

Wilcox

The motion prevailed.

And the resolution, as amended, was adopted.

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

COMMITTEE REPORT CORRECTION

On March 23, 2022, the Senate Committee on State Government inadvertently omitted **House Bill No. 5525** from its report to the Senate. **House Bill No 5525** should have been reported to the Senate with a recommendation of Do Pass.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

SENATE JOINT RESOLUTION NO. 29

Concurred in by the House, March 22, 2022.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of bills of the following titles, to-wit:

SENATE BILL NO. 62

A bill for AN ACT concerning civil law.

SENATE BILL NO. 1016

A bill for AN ACT concerning local government.

SENATE BILL NO. 1234

A bill for AN ACT concerning transportation.

SENATE BILL NO. 1633

A bill for AN ACT concerning regulation.

SENATE BILL NO. 1915

A bill for AN ACT concerning finance.

Passed the House, March 23, 2022.

JOHN W. HOLLMAN, Clerk of the House

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1711

A bill for AN ACT concerning revenue.

Passed the House, March 23, 2022.

JOHN W. HOLLMAN, Clerk of the House

At the hour of 7:30 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, March 24, 2022, at 12:00 o'clock p.m.

[March 23, 2022]