SENATE JOURNAL

STATE OF ILLINOIS

ONE HUNDRED SECOND GENERAL ASSEMBLY

102ND LEGISLATIVE DAY

WEDNESDAY, MARCH 30, 2022

11:24 O'CLOCK A.M.

NO. 102
[March 30, 2022]

SENATE
Daily Journal Index
102nd Legislative Day

The Senate met pursuant to adjournment.
Senator David Koehler, Peoria, Illinois, presiding.
Prayer by Pastor Curt Fleck, Civil Servant Ministries, Springfield, Illinois.
Senator Bennett led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Tuesday, March 29, 2022, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

FY2021 Annual Report - Medical Assistance Program, submitted by the Department of Healthcare and Family Services.

USDVA and IDVA Quincy Correspondence: June 29, 2021 - March 25, 2022, submitted by the Department of Veterans' Affairs.

ERJA Report - March 31, 2022, submitted by the Department of Human Services.

HFS March 2022 ERJA Report, submitted by the Department of Healthcare and Family Services.

Illinois Commission on Discrimination and Hate Crimes 2021 Annual Report, submitted by the Department of Human Rights.

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

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. 3 to House Bill 3205
Amendment No. 3 to House Bill 4281
Amendment No. 1 to House Bill 4382
Amendment No. 2 to House Bill 4813
Amendment No. 2 to House Bill 5196
Amendment No. 1 to House Bill 5328
Amendment No. 2 to House Bill 5463
Amendment No. 1 to House Bill 5506

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

Amendment No. 2 to Senate Resolution 862

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

Amendment No. 2 to House Bill 4688

MESSAGES 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 30, 2022

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the 3rd Reading deadline to April 8, 2022, for the following bills:

SB 1150

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader Dan McConchie

OFFICE OF THE SENATE PRESIDENT
DON HARMON
STATE OF ILLINOIS

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
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CHICAGO, ILLINOIS 60601
312-814-2075

March 30, 2022

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee and third reading deadline to April 8, 2022 for the following bills:

HB 4326

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader Dan McConchie

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 30, 2022

Mr. Tim Anderson
Secretary of the Senate
Room 403 State House
Springfield, IL 62706

Dear Mr. Secretary:

Pursuant to the Senate Rule 2-10, I hereby extend the committee and third reading deadline to April 8, 2022 for the following bills:

HB 4766

Sincerely,
s/Don Harmon
Don Harmon
Senate President

cc: Senate Republican Leader Dan McConchie

COMMUNICATION FROM THE MINORITY LEADER

ILLINOIS STATE SENATE

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

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

Dan McConchie
SENATE REPUBLICAN LEADER · 26TH DISTRICT

March 30, 2022

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

Dear Mr. Secretary:

Pursuant to Rule 3-2(c), I do hereby appoint Senator Jason Plummer to temporarily replace Senator Jason Barickman as a member of the Senate Executive Committee. This appointment will automatically expire at

the end of Committee on March 30, 2022.

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

Cc: Senate President Don Harmon
Senator Cristina Castro
Assistant Republican Leader Jason Plummer
Assistant Secretary of the Senate Scott Kaiser
Ms. Jenna Mitchell
Ms. Nicole Besse
Ms. Reena Tandon
Mr. Jake Butcher

MESSAGE FROM THE GOVERNOR

OFFICE OF THE GOVERNOR
207 STATE HOUSE
SPRINGFIELD, ILLINOIS 62706

JB PRITZKER
GOVERNOR

March 30, 2022

To the Honorable
Members of the Senate
One-Hundred and Second General Assembly

Mr. President:

On October 18, 2021, Appointment Message 102-258 nominating Karen McNaught as Member of the Illinois State Police Merit Board was delivered to your Honorable Body. As of the date of this letter, it is my understanding that the Senate has not taken action on this nomination.

Please be advised that the Appointment Message, for which concurrence in and confirmation of your Honorable Body was sought, is hereby withdrawn as a result of resignation, effective immediately.

Sincerely,
s/JB Pritzker
Governor

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 940

Offered by Senator Harmon and all Senators:
Mourns the death of Greg White.

SENATE RESOLUTION NO. 941

Offered by Senator Harmon and all Senators:

Mourns the death of Nellie X. Yeisley.

SENATE RESOLUTION NO. 942

Offered by Senator Harmon and all Senators:
Mourns the death of Don Offermann.

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

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

SENATE RESOLUTION NO. 939

WHEREAS, On March 30, 2022, more than 200 Illinois crime survivors will travel to the Illinois State Capitol in Springfield for Survivors Speak Illinois 2022; and

WHEREAS, These survivors are gathering to heal together, share their stories, and advocate for change; and

WHEREAS, Survivors Speak Illinois 2022 is organized by Crime Survivors for Safety and Justice and the Alliance for Safety and Justice; and

WHEREAS, Crime and violence can leave harm on any individual and community, regardless of age, national origin, race, creed, religion, gender, sexual orientation, immigration, or economic status; and

WHEREAS, There is a need for the State of Illinois to invest in programs that provide assistance to crime survivors and their families to effectively deal with the inherent trauma and residual effects of violence; and

WHEREAS, Illinois must support trauma recovery centers that play a critical role and are an important resource for survivors impacted by crime; and

WHEREAS, Illinois must address the immediate safety concerns facing families and invest in a long-term, comprehensive plan to address the root causes of violence; and

WHEREAS, The voices and experiences of survivors have too often been ignored, leading to poor policy and justice system decisions that fail to meet the needs of survivors or stop the cycle of crime; and

WHEREAS, Most crime survivors do not receive the help they need; and

WHEREAS, Only eight percent of all survivors of violence receive direct assistance from a victim service agency; this drops to four percent when the crime is unreported, which is the case for more than half of all violent crimes; and

WHEREAS, Crime survivors understand existing gaps to recovery and how to bridge them; and

WHEREAS, Crime survivors want a system of justice and safety that prioritizes prevention, rehabilitation, and trauma recovery; and

WHEREAS, Through their experiences, crime survivors are uniquely qualified to provide essential input and influence in discussions of public safety and criminal justice policy; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we support the survivors and advocates of Survivors Speak Illinois 2022 in their work to stop violence and help those impacted by it; and be it further

RESOLVED, That suitable copies of this resolution be presented to Crime Survivors for Safety and Justice and the Alliance for Safety and Justice.

INTRODUCTION OF BILL

SENATE BILL NO. 4200. Introduced by Senator Plummer, a bill for AN ACT concerning elections.

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

REPORT FROM STANDING COMMITTEE

Senator Martwick, Chair of the Committee on Pensions, to which was referred **House Bills Numbered 4209, 4677, 4785, 4926 and 5447**, reported the same back with the recommendation that the bills do pass.

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

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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 67

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to those individuals who have given their lives in service to their communities; and

WHEREAS, On October 4, 2021, DEA Special Agent Michael Gale "Mike" Garbo died while in the line of duty as a result of injuries sustained during a shooting in downtown Tucson, Arizona; and

WHEREAS, Special Agent Garbo was born in Grayville to Carol Ann (Young) Garbo and Larry Garbo on February 10, 1970; he graduated from Grayville High School in 1988 and Eastern Illinois University; he served with the U.S. Army National Guard; he resided in Sahuarita, Arizona at the time of his passing; and

WHEREAS, Special Agent Garbo was inspired by his late father, an Illinois State Police captain, and pursued a career in law enforcement; he was a former police officer for the Metro Nashville Police Department; he was currently serving as a special agent of the Drug Enforcement Administration (DEA) based in Tucson, Arizona, a position he held since 2005; with unmatched talent, knowledge, dignity, and bravery, he dedicated his life's work to combating drug traffickers, spanning from Kabul, Afghanistan to various locations across the United States; and

WHEREAS, Special Agent Garbo was a dedicated father and husband who devoted his life to serving and caring for others; he enjoyed practicing Jiu Jitsu and martial arts, spending time with his family, and watching his daughter succeed in every aspect of her life; and

WHEREAS, Special Agent Garbo was preceded in death by his parents and his special grandmother, Betty Garbo; and

WHEREAS, Special Agent Garbo is survived by his wife, Vida Mary Garbo; his daughter, Alexis Garbo; his niece and goddaughter, Kennedy Valinevicius; his brother, Terry Garbo; and many other loved ones; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate the section of Interstate 64 between mile marker 128 and 132 as the "DEA Special Agent Michael Garbo Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "DEA Special Agent Michael Garbo Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Special Agent Garbo and the Secretary of Transportation.

Adopted by the House, March 10, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 67 was referred to the Committee on Assignments.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 76

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who have given their lives in service to their communities; and

WHEREAS, The Illinois State Police has proudly served the citizens of Illinois since 1922, and its dedication to public safety has saved countless lives and has enriched the State of Illinois; and

WHEREAS, It is important to remember those officers who lost their lives while upholding their oath to serve and protect; and

WHEREAS, Trooper Albert Hasson was the first Illinois State Police officer to be killed in the line of duty; and

WHEREAS, Trooper Hasson was struck by a car while patrolling approximately three miles north of Chenoa on September 7, 1924; he pulled off the road to stop an oncoming car and was struck by a car from behind just as he stepped onto the roadway, throwing him 10 feet; and

WHEREAS, Trooper Hasson was taken by fellow officers to the hospital in Pontiac, where he succumbed to his injuries several hours later; and

WHEREAS, Trooper Hasson was a four-month veteran of the Illinois State Police, assigned to District 6 in Pontiac; and

WHEREAS, Trooper Hasson was a veteran of World War I, and at the time of his passing, he was survived by his wife; and

WHEREAS, To honor Trooper Hasson, a training room in the District 6 Headquarters was named after him in 2004; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate U.S. Route 24 in the City of Chenoa as the "Trooper Albert Hasson Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name of the "Trooper Albert Hasson Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Illinois State Police, the Mayor of the City of Chenoa, and the Secretary of Transportation.

Adopted by the House, March 28, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 76 was referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Johnson, **House Bill No. 4243** 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 4243

AMENDMENT NO. 1 . Amend House Bill 4243 on page 2, immediately below line 20, by inserting the following:

"At the end of each school year, the school district shall catalogue and report to the State Board of Education the total amount that remains unpaid by students due to the prohibition under this subsection (c).

(d) On and after 3 years from the effective date of this amendatory Act of the 102nd General Assembly, subsection (c) is inoperative.".

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

On motion of Senator Connor, **House Bill No. 4461** 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. 4559** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 4600** was taken up, read by title a second time.

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

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

On motion of Senator Connor, **House Bill No. 4741** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Bennett, **House Bill No. 5464** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5464

AMENDMENT NO. 1 . Amend House Bill 5464 by replacing everything after the enacting clause with the following:

"Section 5. The P-20 Longitudinal Education Data System Act is amended by changing Sections 10 and 20 as follows:

(105 ILCS 13/10)

Sec. 10. Definitions. In this Act:

"Community College Board" means the Illinois Community College Board.

"Community colleges" has the meaning ascribed to that term in Section 1-2 of the Public Community College Act.

"Early learning" means any publicly funded education and care program supporting young children not yet enrolled in kindergarten.

"Elementary" means kindergarten through eighth grade.

"Institution of higher learning" means a public or non-public entity that meets one or more of the following: ~~has the meaning ascribed to that term in Section 10 of the Higher Education Student Assistance Act.~~

(1) is a public institution of higher education as defined in the Board of Higher Education Act, other than a public community college;

(2) is a public institution of higher education funded by a State other than Illinois and approved by the Board of Higher Education to operate in this State;

(3) is a non-public educational institution approved by the Board of Higher Education to operate in this State pursuant to the Private Business and Vocational Schools Act of 2012;

(4) is a non-public institution authorized or approved by the Board of Higher Education to operate in this State pursuant to the Private College Act, the Academic Degree Act, or the Dual Credit Quality Act; or

(5) is a non-public institution operating in this State that is exempt from authorization or approval by the Board of Higher Education pursuant to provisions of the Private College Act or Academic Degree Act, including such institutions authorized or approved by the Board of Higher Education pursuant to the Dual Credit Quality Act.

"Longitudinal data system" means a student unit record data system that links student records from early learning through the postsecondary level, which may consist of separate student unit record systems integrated through agreement and data transfer mechanisms.

"Privacy protection laws" means the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), the Illinois School Student Records Act, the Personal Information Protection Act, and any other State or federal law relating to the confidentiality and protection of personally identifiable information.

"Research organization" means a governmental entity, institution of higher learning, public policy or advocacy organization, or other person or entity conducting educational research that (i) is qualified to perform educational research and protect the privacy of student data, (ii) is seeking to perform research for a non-commercial purpose authorized by privacy protection laws, and (iii) agrees to perform the research pursuant to a written agreement meeting the requirements of privacy protection laws and this Act.

"School" means any elementary or secondary educational institution, charter school, vocational school, special education facility, or any other elementary or secondary educational agency or institution, but does not include a non-public school.

"Secondary" means ninth through twelfth grade.

"State Board" means the State Board of Education.

"State Education Authorities" means the State Board, Community College Board, and Board of Higher Education.

(Source: P.A. 96-107, eff. 7-30-09.)

(105 ILCS 13/20)

Sec. 20. Collection and maintenance of data.

(a) The State Board is authorized to collect and maintain data from school districts, schools, and early learning programs and disclose this data to the longitudinal data system for the purposes set forth in this Act. The State Board shall collect data from charter schools with more than one campus in a manner that can be disaggregated by campus site. The State Board may also disclose data to the longitudinal data system that the State Board is otherwise authorized by law to collect and maintain.

On or before July 1, 2010, the State Board shall establish procedures through which State-recognized, non-public schools may elect to participate in the longitudinal data system by disclosing data to the State Board for one or more of the purposes set forth in this Act.

Subject to the availability of funding through appropriations made specifically for the purposes of this Act, the State Board shall establish or contract for the establishment of a technical support and training system to assist school districts, schools, and early learning programs with data submission, use, and analysis.

(b) The Community College Board is authorized to collect and maintain data from community college districts and disclose this data to the longitudinal data system for the purposes set forth in this Act. The

Community College Board may also disclose data to the longitudinal data system that the Community College Board is otherwise authorized by law to collect and maintain.

Subject to the availability of funding through appropriations made specifically for the purposes of this Act, the Community College Board shall establish or contract for the establishment of a technical support and training system to assist community colleges with data submission, use, and analysis.

(c) The Board of Higher Education is authorized to collect and maintain data from any ~~public~~ institution of higher learning, other than community colleges, and disclose this data to the longitudinal data system for the purposes set forth in this Act. The Board of Higher Education may also disclose data to the longitudinal data system that the Board of Higher Education is otherwise authorized by law to collect and maintain.

The ~~Beginning on July 1, 2012, the~~ Board of Higher Education is authorized to collect and maintain data from any non-public institution of higher learning enrolling one or more students in this State. The Board of Higher Education is authorized to ~~receiving Monetary Award Program grants and any non-public institution of higher learning that confers graduate and professional degrees, pursuant to Section 35 of the Higher Education Student Assistance Act, and~~ disclose this data to the longitudinal data system for the purposes set forth in this Act. ~~Prior to July 1, 2012, any non-public institution of higher learning may elect to participate in the longitudinal data system by disclosing data for one or more of the purposes set forth in this Act to the Board of Higher Education or to a consortium that has contracted with the Board of Higher Education pursuant to this subsection (c).~~

~~The Board of Higher Education may contract with one or more voluntary consortiums of non-public institutions of higher learning established for the purpose of data sharing, research, and analysis. The contract may allow the consortium to collect data from participating institutions on behalf of the Board of Higher Education. The contract may provide for consultation with a representative committee of participating institutions and a representative of one or more organizations representing the participating institutions prior to the use of data from the consortium for a data sharing arrangement entered into with any party other than a State Education Authority pursuant to Section 25 of this Act. The contract may further provide that individual institutions of higher learning shall have the right to opt out of specific uses of their data or portions thereof for reasons specified in the contract. Student level data submitted by each institution of higher learning participating in a consortium that has contracted with the Board of Higher Education pursuant to this paragraph shall remain the property of that institution. Upon notice to the consortium and the Board of Higher Education, any non-public institution of higher learning shall have the right to remove its data from the consortium if the institution has reasonable cause to believe that there is a threat to the security of its data or its data is used in a manner that violates the terms of the contract between the consortium and the Board of Higher Education. In the event data is removed from a consortium pursuant to the preceding sentence, the data must be returned by the institution to the consortium after the basis for removal has been corrected. The data submitted from the consortium to the Board of Higher Education must be used only for agreed upon purposes, as stated in the terms of the contract between the consortium and the Board of Higher Education. Non-public institutions of higher learning submitting student level data to a consortium that has contracted with the Board of Higher Education pursuant to this paragraph shall not be required to submit student-level data to the Board of Higher Education.~~

Subject to the availability of funding through appropriations made specifically for the purposes of this Act, the Board of Higher Education shall establish or contract for the establishment of a technical support and training system to assist institutions of higher learning, other than community colleges, with data submission, use, and analysis. ~~The Board of Higher Education shall seek and may make available grant funding to a consortium including non-public institutions of higher learning to provide assistance in the development of a data collection system.~~ The Board of Higher Education shall engage in a cooperative planning process with public and non-public institutions of higher learning and statewide higher education associations in connection with all of the activities authorized by this subsection (c).

(d) The State Education Authorities shall establish procedures and requirements relating to the submission of data authorized to be collected pursuant to this Section, including requirements for data specifications, quality, security, and timeliness. All early learning programs, schools, school districts, and institutions of higher learning subject to the data collection authority of a State Education Authority pursuant to this Section shall comply with the State Education Authority's procedures and requirements for data submissions. A State Education Authority may require that staff responsible for collecting, validating, and submitting data participate in training and technical assistance offered by this State if data is not submitted in accordance with applicable procedures and requirements.

(Source: P.A. 96-107, eff. 7-30-09; 96-1249, eff. 7-23-10.)

Section 10. The Private Business and Vocational Schools Act of 2012 is amended by changing Sections 20, 30, 35, 37, 50, 55, 70, and 75 as follows:

(105 ILCS 426/20)

Sec. 20. Permit of approval. No person or group of persons subject to this Act may establish and operate or be permitted to become incorporated for the purpose of (1) operating a private business and vocational school or (2) creating or developing a course of instruction, non-degree program of study, or program of study curriculum in order to sell such courses of instruction or curriculum to a private business and vocational school, without obtaining from the Board a permit of approval, provided that a permit of approval is not required for a program that is devoted entirely to religion or theology or a program offered by an institution operating under the authority of the Private College Act, the Academic Degree Act, or the Board of Higher Education Act. Application for a permit must be made to the Board upon forms furnished by it. The Board may not approve any application for a permit of approval that has been plagiarized, in part or in whole. Additionally, the Board may not approve any application for a permit of approval that has not been completed in its entirety. Permits of approval are not transferable. Whenever a change of ownership of a school occurs, an application for a permit of approval for the school under the changed ownership must immediately be filed with the Board. Whenever an owner, partnership, or corporation operates a school at different locations, an application for a permit of approval must be filed for each location. A school must have approval prior to operating at a location and must make application to the Board for any change of location and for a classroom extension at a new or changed location. Each application required to be filed in accordance with the provisions of this Section must be accompanied by the required fee under the provisions of Sections 75 and 85 of this Act, and all such applications must be made on forms prepared and furnished by the Board. The permit of approval must be prominently displayed at some place on the premises of the school at each school location open to the inspection of all interested persons. The Board shall maintain, open to public inspection, a list of schools, their classroom extensions, and their courses of instruction approved under this Act and may annually publish such a list. Issuance of the permit of approval by the Board does not denote that the school or any program offered by the school is recommended, guaranteed, or endorsed by the Board or that the Board is responsible for the quality of the school or its programs, and no school may communicate this to be the case. No guarantee of employability of school graduates is made by the Board in its approval of programs or schools, and no school may communicate such information.

(Source: P.A. 97-650, eff. 2-1-12.)

(105 ILCS 426/30)

Sec. 30. Exemptions. For purposes of this Act, the following shall not be considered to be a private business and vocational school:

(1) Any institution devoted entirely to the teaching of religion or theology.

(2) Any in-service program of study and subject offered by an employer, provided that no tuition is charged and the instruction is offered only to employees of the employer.

(3) Any educational institution that (A) enrolls a majority of its students in degree programs and has maintained an accredited status with a regional accrediting agency that is recognized by the U.S. Department of Education or (B) enrolls students in one or more bachelor-level programs, enrolls a majority of its students in degree programs, and is accredited by a national or regional accrediting agency that is recognized by the U.S. Department of Education or that (i) is regulated by the Board under the Private College Act or the Academic Degree Act or is exempt from such regulation under either the Private College Act or the Academic Degree Act solely for the reason that the educational institution was in operation on the effective date of either the Private College Act or the Academic Degree Act or (ii) is regulated by the State Board of Education.

(4) Any institution and the franchisees of that institution that exclusively offer a program of study in income tax theory or return preparation at a total contract price of no more than $400, provided that the total annual enrollment of the institution for all such courses of instruction exceeds 500 students and further provided that the total contract price for all instruction offered to a student in any one calendar year does not exceed $3,000.

(5) Any person or organization selling mediated instruction products through a media, such as tapes, compact discs, digital video discs, or similar media, so long as the instruction is not intended to result in the acquisition of training for a specific employment field, is not intended to meet a

qualification for licensure or certification in an employment field, or is not intended to provide credit that can be applied toward a certificate or degree program.

(6) Schools with no physical presence in this State. Schools offering instruction or programs of study, but that have no physical presence in this State, are not required to receive Board approval. Such an institution must not be considered not to have a physical presence in this State unless it has received a written finding from the Board that it has no ~~a limited~~ physical presence. In determining whether an institution has no physical presence, the Board shall require all of the following:

(A) Evidence of authorization to operate in at least one other state and that the school is in good standing with that state's authorizing agency.

(B) Evidence that the school has a means of receiving and addressing student complaints in compliance with any federal or state requirements.

(C) Evidence that the institution is providing no instruction in this State.

(D) Evidence that the institution is not providing core academic support services, including, but not limited to, admissions, evaluation, assessment, registration, financial aid, academic scheduling, and faculty hiring and support in this State.

(7) A school or program within a school that exclusively provides yoga instruction, yoga teacher training, or both.

(Source: P.A. 99-705, eff. 1-1-17.)

(105 ILCS 426/35)

Sec. 35. Institution and program approval criteria. Each entity seeking a permit of approval is required to demonstrate that it satisfies institution-approval criteria and that each program of study offered meets the program-approval criteria in this Act and any applicable rules. The following standard criteria are intended to measure the appropriateness of the stated educational objectives of the educational programs of a given institution and the extent to which suitable and proper processes have been developed for meeting those objectives. Information related to the satisfaction of the approval criteria outlined in this Section must be supplied to the Board by institutions on forms provided by the Board. Additional information may be requested by the Board to determine the institution's ability to satisfy the criteria. The following must be considered as part of, but not necessarily all of, the criteria for approval of institutions and the programs offered under this Act:

(1) Qualifications of governing board members, owners, and senior administrators. At a minimum, these individuals must be of good moral character and have no felony criminal record.

(2) Qualifications of faculty and staff.

(3) Demonstration of student learning and quality of program delivery.

(4) Sufficiency of institutional finances. The institution must demonstrate that it has the financial resources sufficient to meet its financial obligations, including, but not limited to, refunding tuition pursuant to the institution's stated policies. The school must tender financial records, including, but not limited to, financial statements, income statements, and cash flow statements.

(5) Accuracy, clarity, and appropriateness of program descriptions. Institutional promotional, advertising, and recruiting materials must be clear, appropriate, and accurate.

(6) Sufficiency of facilities and equipment. At a minimum, these must be appropriate and must meet applicable safety code requirements and ordinances.

(7) Fair and equitable refund policies. At a minimum, these must be fair and equitable, must satisfy any related State or federal rules, and must abide by the standards established in Section 60 of this Act and the rules adopted for the implementation of this Act.

(8) Appropriate and ethical admissions and recruitment practices. At a minimum, recruiting practices must be ethical and abide by any State or federal rules.

(9) Recognized accreditation status. Accreditation with an accrediting body approved by the U.S. Department of Education may be counted as significant evidence of the institution's ability to meet curricular approval criteria.

(10) Meeting employment requirements in the field of study. The institution must clearly demonstrate how a student's completion of the program of study satisfies employment requirements in the occupational field. Such information must be clearly and accurately provided to students. If licensure, certification, or their equivalent is required of program graduates to enter the field of employment, the institution must clearly demonstrate that completion of the program will allow students to achieve this status.

(11) Enrollment agreements that, at a minimum, meet the requirements outlined in Section 40 of this Act.

(12) Clearly communicated tuition and fee charges. Tuition and fees and any other expense charged by the school must be appropriate to the expected income that will be earned by graduates. No school may have a tuition policy or enrollment agreement that requires that a student register for more than a single semester, quarter, term, or other such period of enrollment as a condition of the enrollment nor shall any school charge a student for multiple periods of enrollment prior to completion of the single semester, quarter, term, or other such period of enrollment.

(13) Legal action against the institution, its parent company, its owners, its governing board, or its board members. Any such legal action must be provided to the Board and may be considered as a reason for denial or revocation of the permit of approval.

(Source: P.A. 97-650, eff. 2-1-12.)

(105 ILCS 426/37)

Sec. 37. Disclosures. All schools shall make, at a minimum, the disclosures required under this Section clearly and conspicuously on their Internet websites. The disclosure shall consist of a statement containing the following information for the most recent 12-month reporting period of July 1 through June 30:

(1) The number of students who were admitted in the course of instruction as of July 1 of that reporting period.

(2) Additions during the year due to:

(A) new starts;

(B) re-enrollments; and

(C) transfers into the course of instruction from other courses of instruction at the school.

(3) The total number of students admitted during the reporting period (the number of students reported under paragraph (1) of this Section plus the additions reported under subparagraphs (A), (B), and (C) of paragraph (2) of this Section.

(4) Of the total course of instruction enrollment, the number of students who:

(A) transferred out of the course of instruction to another course of instruction;

(B) completed or graduated from a course of instruction;

(C) withdrew from the school;

(D) are still enrolled.

(5) The number of students listed in paragraph (4) of this Section who:

(A) were placed in their field of study;

(B) were placed in a related field;

(C) placed out of the field;

(D) were not available for placement due to personal reasons;

(E) were not employed.

(6) The number of students who took a State licensing examination or professional certification examination, if any, during the reporting period, as well as the number who passed.

(7) The number of graduates who obtained employment in the field who did not use the school's placement assistance during the reporting period; such information may be compiled by reasonable efforts of the school to contact graduates by written correspondence.

(8) The average starting salary for all school graduates employed during the reporting period; such information may be compiled by reasonable efforts of the school to contact graduates by written correspondence.

(9) The following clear and conspicuous caption, set forth with the address and telephone number of the Board's office:

"COMPLAINTS AGAINST THIS SCHOOL MAY BE REGISTERED WITH THE BOARD OF HIGHER EDUCATION.".

(10) If the United States Department of Education places the school on either the Heightened Cash Monitoring 2 payment method or the reimbursement payment method, as authorized under 34 CFR 668.162, a clear and conspicuous disclosure that the United States Department of Education has heightened monitoring of the school's finances and the reason for such monitoring. Such disclosure shall be made within 14 days of the action of the United States Department of Education both on the school's website and to all students and prospective students on a form prescribed by the Board.

An alphabetical list of names, addresses, and dates of admission by course or course of instruction and a sample copy of the enrollment agreement employed to enroll the students listed shall be filed with the Board's Executive Director on an annual basis. The list shall be signed and verified by the school's chief managing employee.

(Source: P.A. 97-650, eff. 2-1-12.)

(105 ILCS 426/50)

Sec. 50. Requirements for approved institutions.

(a) Each school and each of the non-degree programs of study offered by the school shall be issued a permit of approval ~~approved~~ for one year. The permit shall be renewed annually and every fifth year pursuant to Section 75 of this Act ~~5 years~~, subject to the terms and conditions of approval, including without limitation the submission of required reporting and the payment of required charges and fees under the provisions of Section 75 of this Act, and compliance with any other requirements in this Act or supporting rules. Failure to so comply at any time ~~during the 5 years~~ is grounds for immediate revocation of the permit of approval. Information requested by the Board must be submitted annually or, in special circumstances, at the request of the Board. Failure to do so is grounds for immediate revocation of the permit of approval. Each non-degree program of study must be approved by the Board as well. Regardless of when the program was approved, all programs of study must be approved again with the institutional approval every 5 years ~~at the end of the 5-year approval period~~ or in conjunction with an earlier review if so required under this Act or the administrative rules adopted in support of this Act. ~~The Board's Executive Director has the authority to order any school subject to this Act to cease and desist operations if the school is found to have acted contrary to the standards set forth in this Act or the supporting administrative rules.~~

(b) Any school that is institutionally accredited by an accrediting agency that is recognized by the U.S. Department of Education or the Council for Higher Education Accreditation shall be issued a permit of approval valid for 5 years for each non-degree program of study offered by the school. The permit shall be subject to (i) the terms and conditions of approval, including, without limitation, the submission of required reporting, (ii) the payment of required charges and fees under the provisions of Section 75 of this Act, and (iii) compliance with any other requirements under this Act or administrative rule. The failure of a school to comply at any time during the 5-year term of the permit of approval shall be grounds for the immediate revocation of the permit of approval. Information requested by the Board must be submitted annually or, in certain circumstances, at the request of the Board. The failure of the school to submit the requested information shall be grounds for the immediate revocation of the permit of approval. Each non-degree program of study must be approved by the Board. Regardless of the date a school received initial approval of a program of study, all programs of study must be reapproved for a permit of approval at the end of each 5-year approval period or in conjunction with an earlier review if otherwise required by this Act or administrative rule.

(c) The Board may order any school subject to this Act to cease and desist operations if the school is found to have acted contrary to the standards set forth in this Act or administrative rule.

(Source: P.A. 97-650, eff. 2-1-12.)

(105 ILCS 426/55)

Sec. 55. Maintenance of approval. Institutions covered under this Act must meet the following requirements to receive and maintain approval:

(1) Provide a surety bond. A continuous surety company bond, written by a company authorized to do business in this State, for the protection of contractual rights, including faithful performance of all contracts and agreements for students and their parents, guardians, or sponsors. The Board shall establish the bond amount by rule. The amount of the bond must be sufficient to provide for the repayment of full tuition to all students enrolled at the institution in the event of closure of the institution. Evidence of the continuation of the bond must be filed annually with the Board. The surety bond must be a written agreement that provides for monetary compensation in the event that the school fails to fulfill its obligations to its students and their parents, guardians, or sponsors. The surety bonding company shall guarantee the return to students and their parents, guardians, or sponsors of all prepaid, unearned tuition in the event of school closure. A condition of the bond shall be that the bond agent shall notify the Board in the event the bond is no longer in effect.

(2) Provide to the Board and each student the school's policy for addressing student complaints. Included in this process, the school must provide in its promotional materials and on its Internet website the Board's address and Internet website for reporting complaints.

(3) Provide on the institution's Internet website and in promotional materials and enrollment agreements the Internet website, address, and phone number of the Board for students to report complaints.

(4) Provide evidence of liability insurance, in such form and amount as the Board shall from time to time prescribe pursuant to rules adopted under this Act, to protect students and employees at the school's places of business and at all classroom extensions, including any work-experience locations.

(5) Provide data as requested by the Board to support the satisfaction of the requirements of this Act or to provide vocational and technical educational data for the longitudinal data system created under the P-20 Longitudinal Education Data System Act.

(6) Pay required fees as described under the provisions of Section 75 of this Act by prescribed deadlines.

(7) With respect to advertising programs of study, all of the following apply:

(A) A school may state that it is approved to offer a program of study or authorized to award a certificate in this State only after that approval has been officially granted and received in writing from the Board.

(B) A school shall not advertise or state in any manner that it is accredited by the Board to award degrees or certificates.

(C) No school may publish or otherwise communicate to prospective students, faculty, staff, or the public misleading or erroneous information about the certificate or degree-granting status of a given institution.

(D) All advertisements or solicitations by approved schools shall only reference the Board's approval by stating that the school is approved by the "Division of Private Business and Vocational Schools".

(E) All advertisements or solicitations by approved schools shall contain the school's official Internet website address.

(8) Permit the Board's Executive Director or his or her designees to inspect the school or classes thereof from time to time with or without notice and to make available to the Board's Executive Director or his or her designees, at any time when required to do so, information, including financial information, pertaining to the operation and ~~to~~ the activities of the school required for the administration of this Act and the standards and rules adopted under this Act.

(9) Maintain satisfactory student retention and graduation rates and State licensing examination or professional certification examination passage rates. Student retention and graduation rates must be maintained that are appropriate to standards in the field. A State licensing examination or professional certification examination passage rate of at least 50% of the average passage rate for schools within the industry for any State licensing examination or professional certification examination must be maintained. In the event that the school fails to do so, then that school shall be placed on probation for one year. If that school's passage rate in its next reporting period does not exceed 50% of the average passage rate of that class of school as a whole, then the Board shall revoke the school's approval for that program to operate in this State. In addition, this shall be grounds for reviewing the institution's approval to operate. The Board shall develop, by rule, a procedure to ensure the veracity of the information required under this Section.

(10) Not enter into an enrollment agreement wherein the student waives the right to assert against the school or any assignee any claim or defense he or she may have against the school arising under the agreement. Any provisions in an enrollment agreement wherein the student agrees to such a waiver shall be rendered void.

(11) Not have a tuition policy or enrollment agreement that requires that a student register for more than a single semester, quarter, term, or other such period of enrollment as a condition of the enrollment nor charge a student for multiple periods of enrollment prior to completion of a single semester, quarter, term, or other such period of enrollment.

(12) Provide the Board with a copy of any notice of warning or suspension or revocation received from an accrediting agency or State or federal oversight body within 15 days after receipt of the notice. The school shall, at the same time, inform the Board, in writing, on actions being taken to correct all deficiencies cited.

(13) Maintain a fair and equitable refund policy and abide by it. Such a policy shall abide by any State or federal rules as appropriate. The same policy shall apply to all students equally.

(14) Act in an ethical manner.

(Source: P.A. 97-650, eff. 2-1-12.)

(105 ILCS 426/70)

Sec. 70. Closing of a school.

(a) In the event a school proposes to discontinue its operations, the chief administrative officer of the school shall cause to be filed with the Board the original or legible true copies of all such academic records of the institution as may be specified by the Board.

(b) These records shall include, at a minimum, the academic records of each former student that is traditionally provided on an academic transcript, such as, but not limited to, courses taken, terms, grades, and other such information.

(c) In the event it appears to the Board that any such records of an institution discontinuing its operations is in danger of being lost, hidden, destroyed, or otherwise made unavailable to the Board, the Board may seize and take possession of the records, on its own motion and without order of court.

(d) The Board shall maintain or cause to be maintained a permanent file of such records coming into its possession.

(e) As an alternative to the deposit of such records with the Board, the institution may propose to the Board a plan for permanent retention of the records. The plan must be put into effect only with the approval of the Board.

(f) When a postsecondary educational institution now or hereafter operating in this State proposes to discontinue its operation, such institution shall cause to be created a teach-out plan acceptable to the Board, which shall fulfill the school's educational obligations to its students. Should the school fail to deliver or act on the teach-out plan, the Board is in no way responsible for providing the teach-out.

(g-5) The school shall release any institutional holds placed on any students record, regardless of the type of hold placed on the student record.

(g) The school and its designated surety bonding company are responsible for the return to students of all prepaid, unearned tuition. As identified in Section 55 of this Act, the surety bond must be a written agreement that provides for monetary compensation in the event that the school fails to fulfill its obligations. The surety bonding company shall guarantee the return to the school's students and their parents, guardians, or sponsors of all prepaid, unearned tuition in the event of school closure. Should the school or its surety bonding company fail to deliver or act to fulfill the obligation, the Board is in no way responsible for the repayment or any related damages or claims.

(Source: P.A. 97-650, eff. 2-1-12.)

(105 ILCS 426/75)

Sec. 75. Application and renewal fees. The Board may not approve any application for a permit of approval or program of study that has been plagiarized in part or whole and may return any such application for a permit of approval or program of study. Additionally, the Board may not approve any application for a permit of approval or program of study that has not been completed in its entirety. Fees for application and renewal may be set by the Board by rule. Fees shall be collected for all of the following:

(1) An original school application for a permit ~~certificate~~ of approval.

(2) An initial school application for a permit ~~certificate~~ of approval upon occurrence of a change of ownership.

(3) An annual school application for renewal of a certificate of approval.

(4) A school application for a change of location.

(5) A school application for a classroom extension.

(6) If an applicant school that has not remedied all deficiencies cited by the Board within 12 months after the date of its original application for a permit ~~certificate~~ of approval, an additional original application fee for the continued cost of investigation of its application.

(7) Transcript processing.

(Source: P.A. 97-650, eff. 2-1-12.)

Section 15. The Developmental Education Reform Act is amended by changing Section 100-30 as follows:

(110 ILCS 175/100-30)

Sec. 100-30. Institutional plans; report.

(a) On or before May 1, 2022, each university shall submit to the Board of Higher Education and each community college shall submit to the Illinois Community College Board its institutional plan for scaling

evidence-based developmental education reforms to maximize the probability that a student will be placed in and successfully complete introductory college-level English language or mathematics coursework within 2 semesters at the institution. At a minimum, a plan submitted by an institution shall include all of the following:

(1) A description of the current developmental education models offered by the institution. If the institution does not currently offer developmental education coursework, it must provide details regarding its decision not to offer developmental education coursework and the pathways that are available to students deemed to be insufficiently prepared for introductory college-level English language or mathematics coursework.

(2) A description of the developmental education models that will be implemented and scaled and the basis of the evidence and associated data that the institution considered in making the decision to scale each model.

(3) Baseline data and benchmarks for progress, including, but not limited to, (i) enrollment in credit-bearing English language or mathematics courses, (ii) rates of successful completion of introductory college-level English language or mathematics courses, and (iii) college-credit accumulation.

(4) Detailed plans for scaling reforms and improving outcomes for all students placed in traditional developmental education models or models with comparable introductory college-level course completion rates. The plan shall provide details about the expected improvements in educational outcomes for Black students as result of the proposed reforms.

(b) On or before February 15 ~~January 1~~, 2023 and every 2 years thereafter, the Board of Higher Education and Illinois Community College Board shall collect data and report to the General Assembly and the public the status of developmental education reforms at institutions. The report must include data on the progress of the developmental education reforms, including, but not limited to, (i) enrollment in credit-bearing English language or mathematics courses, (ii) rates of successful completion of introductory college-level English language or mathematics courses, and (iii) college-credit accumulation. The data should be disaggregated by gender, race and ethnicity, federal Pell Grant status, and other variables of interest to the Board of Higher Education and the Illinois Community College Board.

(c) On or before February 15 ~~January 1~~, 2024 and every 2 years thereafter, the Board of Higher Education and Illinois Community College Board, in consultation with institutions of higher education and other stakeholders, shall consider additional data reporting requirements to facilitate the rigorous and continuous evaluation of each institution's implementation plan and its impact on improving outcomes for students in developmental education, particularly for Black students.

(Source: P.A. 101-654, eff. 3-8-21.)

Section 20. The Board of Higher Education Act is amended by changing Sections 1, 3, 6, 7, 8, 9.16, 11, and 16 as follows:

(110 ILCS 205/1) (from Ch. 144, par. 181)

Sec. 1. The following terms shall have the meanings respectively prescribed for them, except when the context otherwise requires:

"Public institutions of higher education": The University of Illinois; Southern Illinois University; Chicago State University; Eastern Illinois University; Governors State University; Illinois State University; Northeastern Illinois University; Northern Illinois University; Western Illinois University; the public community colleges of the State and any other public universities, colleges and community colleges now or hereafter established or authorized by the General Assembly.

"Board": The Board of Higher Education created by this Act.

"Private institution of higher education": Any institution of higher education that is subject to the Private College Act or the Academic Degree Act.

(Source: P.A. 100-167, eff. 1-1-18.)

(110 ILCS 205/3) (from Ch. 144, par. 183)

Sec. 3. Terms; vacancies.

(a) The members of the Board whose appointments are subject to confirmation by the Senate shall be selected for 6-year terms expiring on January 31 of odd numbered years.

(b) The members of the Board shall continue to serve after the expiration of their terms until their successors have been appointed.

(c) Vacancies on the Board in offices appointed by the Governor shall be filled by appointment by the Governor for the unexpired term. If the appointment is subject to Senate confirmation and the Senate is not in session or is in recess when the appointment is made, the appointee shall serve subject to subsequent Senate approval of the appointment.

(d) Each student member shall serve a term of one year beginning on July 1 of each year and until a successor is appointed and qualified.

(e) The member of the Board representing public university governing boards and the member of the Board representing private college and university boards of trustees, who are appointed by the Governor but not subject to confirmation by the Senate, shall serve terms of one year beginning on July 1.

(Source: P.A. 100-167, eff. 1-1-18.)

(110 ILCS 205/6) (from Ch. 144, par. 186)

Sec. 6. The Board, in cooperation with the Illinois Community College Board, shall analyze the present and future aims, needs and requirements of higher education in the State of Illinois and prepare a strategic ~~master~~ plan for the development, expansion, integration, coordination and efficient utilization of the facilities, curricula and standards of higher education for public institutions of higher education in the areas of teaching, research and public service. The strategic ~~master~~ plan shall also include higher education affordability and accessibility measures. The Board, in cooperation with the Illinois Community College Board, shall formulate the strategic ~~master~~ plan and prepare and submit to the General Assembly and the Governor drafts of proposed legislation to effectuate the plan. The Board, in cooperation with the Illinois Community College Board, shall engage in a continuing study, an analysis, and an evaluation of the strategic ~~master~~ plan so developed, and it shall be its responsibility to recommend, from time to time as it determines, amendments and modifications of any strategic ~~master~~ plan enacted by the General Assembly.

(Source: P.A. 99-655, eff. 7-28-16.)

(110 ILCS 205/7) (from Ch. 144, par. 187)

Sec. 7. The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, the Illinois Community College Board and the campuses under their governance or supervision shall not hereafter undertake the establishment of any new unit of instruction, research, or public service without the approval of the Board. The term "new unit of instruction, research, or public service" includes the establishment of a college, school, division, institute, department, or other unit in any field of instruction, research, or public service not theretofore included in the program of the institution, and includes the establishment of any new branch or campus. The term does not include reasonable and moderate extensions of existing curricula, research, or public service programs which have a direct relationship to existing programs; and the Board may, under its rulemaking power, define the character of such reasonable and moderate extensions.

Such governing boards shall submit to the Board all proposals for a new unit of instruction, research, or public service. The Board may approve or disapprove the proposal in whole or in part or approve modifications thereof whenever in its judgment such action is consistent with the objectives of an existing or proposed strategic ~~master~~ plan of higher education.

The Board of Higher Education is authorized to review periodically all existing programs of instruction, research, and public service at the State universities and colleges and to advise the appropriate board of control if the contribution of each program is not educationally and economically justified. Each State university shall report annually to the Board on programs of instruction, research, or public service that have been terminated, dissolved, reduced, or consolidated by the university. Each State university shall also report to the Board all programs of instruction, research, and public service that exhibit a trend of low performance in enrollments, degree completions, and high expense per degree. The Board shall compile an annual report that shall contain information on new programs created, existing programs that have been closed or consolidated, and programs that exhibit low performance or productivity. The report must be submitted to the General Assembly. The Board shall have the authority to define relevant terms and timelines by rule with respect to this reporting.

(Source: P.A. 101-81, eff. 7-12-19.)

(110 ILCS 205/8) (from Ch. 144, par. 188)

Sec. 8. The Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois

University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, and the Illinois Community College Board shall submit to the Board not later than the 15th day of November of each year its budget proposals for the operation and capital needs of the institutions under its governance or supervision for the ensuing fiscal year. Each budget proposal shall conform to the procedures developed by the Board in the design of an information system for State universities and colleges.

In order to maintain a cohesive system of higher education, the Board and its staff shall communicate on a regular basis with all public university presidents. They shall meet at least semiannually to achieve economies of scale where possible and provide the most innovative and efficient programs and services.

The Board, in the analysis of formulating the annual budget request, shall consider rates of tuition and fees and undergraduate tuition and fee waiver programs at the State universities and colleges. The Board shall also consider the current and projected utilization of the total physical plant of each campus of a university or college in approving the capital budget for any new building or facility.

The Board of Higher Education shall submit to the Governor, to the General Assembly, and to the appropriate budget agencies of the Governor and General Assembly its analysis and recommendations on such budget proposals.

The Board is directed to form a broad-based group of individuals representing the Office of the Governor, the General Assembly, public institutions of higher education, State agencies, business and industry, statewide organizations representing faculty and staff, and others as the Board shall deem appropriate to devise a system for allocating State resources to public institutions of higher education based upon performance in achieving State goals related to student success and certificate and degree completion.

Beginning in Fiscal Year 2013, the Board of Higher Education budget recommendations to the Governor and the General Assembly shall include allocations to public institutions of higher education based upon performance metrics designed to promote and measure student success in degree and certificate completion. Public university metrics must be adopted by the Board by rule, and public community college metrics must be adopted by the Illinois Community College Board by rule. These metrics must be developed and promulgated in accordance with the following principles:

(1) The metrics must be developed in consultation with public institutions of higher education, as well as other State educational agencies and other higher education organizations, associations, interests, and stakeholders as deemed appropriate by the Board.

(2) The metrics shall include provisions for recognizing the demands on and rewarding the performance of institutions in advancing the success of students who are academically or financially at risk, including first-generation students, low-income students, and students traditionally underrepresented in higher education, as specified in Section 9.16 of this Act.

(3) The metrics shall recognize and account for the differentiated missions of institutions and sectors of higher education.

(4) The metrics shall focus on the fundamental goal of increasing completion of college courses, certificates, and degrees. Performance metrics shall recognize the unique and broad mission of public community colleges through consideration of additional factors including, but not limited to, enrollment, progress through key academic milestones, transfer to a baccalaureate institution, and degree completion.

(5) The metrics must be designed to maintain the quality of degrees, certificates, courses, and programs.

In devising performance metrics, the Board may be guided by the report of the Higher Education Finance Study Commission.

Each State university must submit its plan for capital improvements of non-instructional facilities to the Board for approval before final commitments are made if the total cost of the project as approved by the institution's board of control is in excess of $2 million. Non-instructional uses shall include but not be limited to dormitories, union buildings, field houses, stadium, other recreational facilities and parking lots. The Board shall determine whether or not any project submitted for approval is consistent with the strategic ~~master~~ plan for higher education and with instructional buildings that are provided for therein. If the project is found by a majority of the Board not to be consistent, such capital improvement shall not be constructed. (Source: P.A. 99-655, eff. 7-28-16.)

(110 ILCS 205/9.16) (from Ch. 144, par. 189.16)

Sec. 9.16. Underrepresentation of certain groups in higher education. To require public institutions of higher education to develop and implement an equity plan and practices that include methods and strategies to increase the access, retention, completion, and student loan repayment rates ~~participation~~ of minorities, rural students, adult students, women, and individuals with disabilities who are traditionally underrepresented in education programs and activities. To encourage private institutions of higher education to develop and implement an equity plan and practices. For the purpose of this Section, minorities shall mean persons ~~who are citizens of the United States or lawful permanent resident aliens of the United States and~~ who are any of the following:

(1) American Indian or Alaska Native (a person having origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

(2) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

(3) Black or African American (a person having origins in any of the black racial groups of Africa).

(4) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

(5) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

The Board shall adopt any rules necessary to administer this Section. The Board, in collaboration with the Illinois Community College Board, shall also do the following:

(a) require all public institutions of higher education to develop and submit an equity plan and implement practices that, at a minimum, close gaps in enrollment, retention, completion, and student loan repayment rates for underrepresented groups and encourage all private institutions of higher education to develop and submit such equity plans and implement such practices ~~plans for the implementation of this Section~~;

(b) conduct periodic review of public institutions of higher education and private institutions of higher education to determine compliance with this Section; and if the Board finds that a public institution of higher education is not in compliance with this Section, it shall notify the institution of steps to take to attain compliance;

(c) provide advice and counsel pursuant to this Section;

(d) conduct studies of the effectiveness and outcomes of the methods and strategies outlined in an institution's equity plan, as well as others designed to increase participation and success of students in education programs and activities in which minorities, rural students, adult students, women, and individuals with disabilities are traditionally underrepresented, and monitor and report the outcomes for ~~success of~~ students as a result of the implementation of equity plans ~~in such education programs and activities~~;

(e) require components of an institution's equity plan to include strategies to increase ~~encourage~~ minority student recruitment, ~~and~~ retention, and student loan repayment rates in colleges and universities. In implementing this paragraph, the Board shall undertake but need not be limited to the following: the establishment of guidelines and plans for public institutions of higher education and private institutions of higher education for minority student recruitment, ~~and~~ retention, and student loan repayment rates, including requirements to establish campus climate and culture surveys, the review and monitoring of minority student services, programs, and supports implemented at public institutions of higher education and private institutions of higher education to determine their compliance with any guidelines and plans so established, the determination of the effectiveness and funding requirements of minority student services, programs, and supports at public institutions of higher education and private institutions of higher education, the dissemination of successful programs as models, and the encouragement of cooperative partnerships between community colleges, ~~and~~ local school attendance centers, and 4-year colleges and universities to support enrollment of ~~which are experiencing difficulties in enrolling~~ minority students ~~in four-year colleges and universities~~;

(f) mandate all public institutions of higher education and encourage all private institutions of higher education to submit data and information essential to determine compliance with this Section. The Board shall prescribe the format and the date for submission of this data and any other education equity data; and

(g) report to the General Assembly and the Governor annually with a description of the plans submitted by each public institution of higher education and each private institution of higher education for

implementation of this Section, including financial data relating to the most recent fiscal year ~~expenditures for specific minority programs~~, the effectiveness of such plans and programs and the effectiveness of the methods and strategies developed by the Board in meeting the purposes of this Section, the degree of compliance with this Section by each public institution of higher education and each private institution of higher education as determined by the Board pursuant to its periodic review responsibilities, and the findings made by the Board in conducting its studies and monitoring student outcomes and institutional success as required by paragraph (d) ~~d)~~ of this Section. With respect to each public institution of higher education and each private institution of higher education, such report also shall include, but need not be limited to, information with respect to each institution's minority program budget allocations; minority student admission, retention and graduation and student loan repayment rate statistics; admission, retention, ~~and~~ graduation, and student loan repayment rate statistics of all students who are the first in their immediate family to attend an institution of higher education; number of financial assistance awards, not including student loans, to undergraduate and graduate minority students; and minority faculty representation. This paragraph shall not be construed to prohibit the Board from making, preparing or issuing additional surveys or studies with respect to minority education in Illinois.

(Source: P.A. 102-465, eff. 1-1-22.)

(110 ILCS 205/11) (from Ch. 144, par. 191)

Sec. 11. In the formulation of a strategic ~~master~~ plan of higher education and in the discharge of its duties under this Act, the Board shall give consideration to the problems and attitudes of private junior colleges, private colleges and universities, and of other educational groups, instrumentalities and institutions, and to specialized areas of education, as they relate to the overall policies and problems of higher education.

(Source: P.A. 82-622.)

(110 ILCS 205/16)

Sec. 16. Record retention requirements when ~~Closing~~ an institution of higher education closes; student records; institutional transfer agreements.

(a) In this Section:

"Academic records" means the academic records of each former student of an institution of higher education that is traditionally provided on an academic transcript, including, but not limited to, courses taken, terms, grades, and any other similar information.

"Institution of higher education" means any publicly or privately operated university, college, junior college, business, technical or vocational school, or other educational institution offering degrees and instruction beyond the secondary school level. "Institution of higher education" does not include a public community college.

"Institutional transfer agreement" means an articulation agreement or transfer agreement between 2 or more institutions of higher education wherein one institution agrees to accept the transfer of earned student credits from a former student of an institution that has discontinued operations.

(b) In the event an institution of higher education proposes to discontinue its operations, the chief administrative officer of the institution shall submit a plan to the Board for permanent retention of all academic records, including student records and academic records of the institution. The plan must be approved by the Executive Director of the Board before it is executed. In addition, the plan shall include the release of any institutional holds placed on any student record, regardless of the type of hold placed on a student record.

(c) If it appears to the Board that the academic records, including student records and academic records, of an institution of higher education kept pursuant to an approved plan under subsection (b) of this Section may become lost, hidden, destroyed, or otherwise made unavailable to the Board, the Board may seize and take possession of the records, on its own motion and without order of a court.

(Source: P.A. 100-1008, eff. 8-21-18.)

Section 25. The Higher Education Cooperation Act is amended by changing Sections 4 and 5 as follows:

(110 ILCS 220/4) (from Ch. 144, par. 284)

Sec. 4. A program of financial assistance to programs of interinstitutional cooperation, in higher education is established to implement the policy of encouraging such cooperation in order to achieve an efficient use of educational resources, an equitable distribution of educational services, the development of innovative concepts and applications, and other public purposes.

The Board of Higher Education shall administer this program of financial assistance and shall distribute the funds appropriated by the General Assembly for this purpose in the form of grants to not-for-profit corporations organized to administer programs of interinstitutional cooperation in higher education or to public or nonpublic institutions of higher education participating in such programs.

In awarding grants to interinstitutional programs under this Act, the Board shall consider in relation to each such program whether it serves the public purposes expressed in this Act, whether the local community is substantially involved, whether its function could be performed better by a single existing institution, whether the program is consistent with the Illinois strategic ~~master~~ plan for higher education, and such other criteria as it determines to be appropriate.

No grant may be awarded under this Section for any program of sectarian instruction or for any program designed to serve a sectarian purpose.

As a part of its administration of this Act the Board may require audits or reports in relation to the administrative, fiscal and academic aspects of any interinstitutional program for which a grant is awarded under this Act. The Board shall annually submit to the Governor and the General Assembly a budgetary recommendation for grants under this Act.

(Source: P.A. 85-244.)

(110 ILCS 220/5) (from Ch. 144, par. 285)

Sec. 5. Any not-for-profit corporation organized to administer an interinstitutional program of higher education may be recognized under this Section if it has been in existence for 3 years or longer, it is structured for continuing operation, it is substantial in scope, it is oriented to and supported by the community in which it is located and it is consistent with the Illinois strategic ~~master~~ plan for higher education.

In each request of the Board of Higher Education to the General Assembly for the appropriation of funds for the purpose of making grants under this Act the Board shall specify the amount of the grant proposed for each not-for-profit corporation recognized under this Section.

The following not-for-profit corporations are recognized for the purposes of this Section:

The Quad Cities Graduate Study Center.

(Source: P.A. 77-2813.)

Section 30. The Private College Act is amended by changing Sections 3, 4, and 5 and by adding Section 4.5 as follows:

(110 ILCS 1005/3) (from Ch. 144, par. 123)

Sec. 3. (a) Applications submitted to the Board for a certificate of approval to operate a post-secondary educational institution shall contain a statement of the following:

1. the proposed name of the institution and its proposed location;

2. the nature, extent and purposes of the courses of study to be given;

3. the fees to be charged and the conditions under which the fees are to be paid;

4. the education and experience of the members of the teaching staff;

5. the degrees to be issued to students upon completion of courses of instruction.

(b) The Board may not approve any application for a certificate of approval that has been plagiarized, in part or in whole. Additionally, the Board may not approve any application that has not been completed in its entirety and such application shall be returned to the post-secondary educational institution.

(Source: P.A. 80-1309.)

(110 ILCS 1005/4) (from Ch. 144, par. 124)

Sec. 4. Upon the filing of an application for a certificate of approval the Board shall make an examination to ascertain:

1. That each course of instruction to be offered or given is adequate, suitable, and proper;

2. That the fee to be charged for the courses of instruction, and the conditions and terms under which such fees are to be paid are reasonable;

3. That an adequate physical plant and adequate facilities are provided;

4. That the members of the teaching staff are adequately prepared to fulfill their instructional obligations;

5. That the institution does not promise or agree to any right or privilege in respect to professional examinations or to the practice of any profession in violation of the laws of this State;

6. That the institution does not offer inducements that are designed to deceive the prospective student or make any promises which it does not have the present means or ability to perform;~~.~~

7. That the proposed degree program is educationally and economically consistent with the educational priorities and needs of this State and meets a need that is not currently met by existing institutions and is supported by clear evidence of need.

If the examination shows that the applicant has such qualifications a certificate of approval shall be issued.

(Source: P.A. 80-1309.)

(110 ILCS 1005/4.5 new)

Sec. 4.5. Disclosure of heightened monitoring of finances. Any institution with a certificate of approval under this Act is required to make the following disclosures:

(1) If the United States Department of Education places the institution on either the Heightened Cash Monitoring 2 payment method or the reimbursement payment method, as authorized under 34 CFR 668.162, a clear and conspicuous disclosure that the United States Department of Education has heightened monitoring of the institution's finances and the reason for such monitoring. Such disclosure shall be made within 14 days of the action of the United States Department of Education both on the institution's website and to all students and prospective students on a form prescribed by the Board.

(2) Any other disclosure the Board requires by rule adopted pursuant to this Act.

(110 ILCS 1005/5) (from Ch. 144, par. 125)

Sec. 5. A certificate of approval of a post-secondary educational institution may be revoked for any of the following:

1. Violation of any of the conditions governing the issuance of the certificate;

2. Failure to comply with any of the rules adopted by the Board;

3. Fraudulent conduct on the part of any person conducting the institution or of any person, acting within the scope of his employment, employed by the owners or persons conducting the institution, on account of which conduct any student enrolled in the institution has been injured or has suffered financial loss;~~.~~

4. Failure to allow any duly authorized employee, or other representative of the Board, to enter upon the premises of any post-secondary educational institution or have access through electronic means to inspect or otherwise examine the same and any books, papers, or other records pertaining to the degree granting program of such institution, including, but not limited, to financial records such as balance sheets, income statements, and cash flow statements.

(Source: P.A. 80-1309.)

Section 35. The Academic Degree Act is amended by changing Sections 4 and 6 and by adding Section 5.5 as follows:

(110 ILCS 1010/4) (from Ch. 144, par. 234)

Sec. 4. Period before award.~~)~~ (a) Unless a degree granting institution was authorized to operate in Illinois, or was in operation, on August 14, 1961, it shall not award any earned degree until one year after it has filed a written notice with and until such institution has received the authorization and approval of the Board. Except as permitted under Section 5, no educational organization or entity shall be authorized to award any degree nor be approved as a degree granting institution unless it requires an appropriate period of instruction to be in residence. The notice shall be under oath or affirmation of the principal officer of the institution and shall contain: the name and address of the degree granting institution; the names and addresses of the president or other administrative head and of each member of the board of trustees or other governing board; a description of the degree or degrees to be awarded and the course or courses of study prerequisite thereto; and such additional information relevant to the purposes of this Act as the Board may prescribe. An amendment to the notice shall be under oath or affirmation of the principal officer of the institution and shall be filed with the Board prior to the award of any degree not contained in the original notice or prior amendments thereto. A degree authorized in an amendment shall not be awarded until one year after the filing of the amendment with and the authorization of the Board. The submission of the regular catalog of the institution shall, if it covers the matters hereinabove mentioned, be deemed to constitute compliance herewith.

(b) A degree granting institution shall keep the notice which it shall have filed with the Board current at all times. For this purpose, it shall report annually, by appropriate amendment of the notice, any change in any fact previously reported.

(c) The Board shall not approve any notice or amendment thereto filed pursuant to this Section unless it finds the facts stated therein to be correct and further finds that such facts constitute compliance with the requirements of this Act for degree granting institutions.

(d) The Board may not approve any notice, amendment, or application that has been plagiarized, in part or in whole, and may return any notice, amendment, or application. Additionally, the Board may not approve any notice, amendment, or application that has not been completed in its entirety. Any such uncompleted notice, amendment, or application shall be returned to the degree granting institution.

(e) The Board may not approve any proposed degree program unless it is educationally and economically consistent with the educational priorities and needs of this State and meets a need that is not currently met by existing institutions and is supported by clear evidence of need.

(Source: P.A. 80-1309.)

(110 ILCS 1010/5.5 new)

Sec. 5.5. Disclosure of heightened monitoring of finances. Any institution approved by the Board under this Act shall make the following disclosures:

(a) If the United States Department of Education places the institution on either the Heightened Cash Monitoring 2 payment method or the reimbursement payment method, as authorized under 34 CFR 668.162, a clear and conspicuous disclosure that the United States Department of Education has heightened monitoring of the institution's finances and the reason for such monitoring. Such disclosure shall be made within 14 days of the action of the United States Department of Education both on the institution's website and to all students and prospective students on a form prescribed by the Board.

(b) Any other disclosure the Board requires by rule adopted pursuant to this Act.

(110 ILCS 1010/6) (from Ch. 144, par. 236)

Sec. 6. Right of inspection; Penalty for refusal or obstruction. Any duly authorized employee or other representative of the Board may enter upon the premises of any degree granting institution or may have access through electronic means to ~~and~~ inspect or otherwise examine the same and any books, papers or other records pertaining to the degree granting program of such institution including, but not limited to, financial records such as balance sheets, income statements, and cash flow statements. For failure to permit such entry, inspection or examination or for obstruction thereof, the Board may invalidate any notice filed with it by the degree granting institution and revoke any authorization made pursuant to Section 4 of this Act and may refuse to accept another notice from or on behalf of such institution or any person connected with the administration thereof until such refusal or obstruction has been withdrawn. Any action taken pursuant to this Section shall be in addition to any other penalty which may be imposed for violation of this Act.

(Source: P.A. 80-1309.)

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 Wilcox, **House Bill No. 5496** having been printed, was taken up and read by title a second time.

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

AMENDMENT NO. 1 TO HOUSE BILL 5496

AMENDMENT NO. 1 . Amend House Bill 5496 on page 1, immediately below line 3, by inserting the following:

"Section 3. Intent. The intent of this Act is to clarify that not all crashes are accidental. Crash encompasses all types of motor vehicle impacts and collisions, including, but not limited to, an impact or collision caused by negligence, willful and wanton conduct, or an intentional act. This Act is not intended to alter the legal rights and obligations under current law of insurers, applicants, and policy holders.".

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

On motion of Senator Pacione-Zayas, **House Bill No. 5581** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Feigenholtz, **House Bill No. 3205** was taken up, read by title a second time.
Committee Amendment No. 1 was held in the Committee on Assignments.
Floor Amendment No. 2 was held in the Committee on Commerce.
Floor Amendment No. 3 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 Loughran Cappel, **House Bill No. 4988** having been printed, was taken up and read by title a second time.
The following amendment was offered in the Committee on Energy and Public Utilities, adopted and ordered printed:

AMENDMENT NO. 1 TO HOUSE BILL 4988

AMENDMENT NO. 1 . Amend House Bill 4988 by replacing everything after the enacting clause with the following:

"Section 5. The Environmental Protection Act is amended by adding Section 19.11 as follows:
(415 ILCS 5/19.11 new)
Sec. 19.11. Public water supply disruption; notification.
(a) In this Section:
"Disruption event" means any:
(1) change to a disinfection technique, practice, or technology that could change disinfectant levels in the water within a public water supply;
(2) planned or unplanned work on or damage to a water main;
(3) change in a treatment application or source of water that results in an altered finished water quality;
(4) event that results in a public water supply's operating pressure falling below 20 PSI; or
(5) condition that results in the issuance of a boil water order.
"Disruption event" includes, but is not limited to, any water main break, system failure or disruption, equipment failure, chemical or disinfectant treatment interruption, or flooding of a public water supply operator's facilities.
"Health care facility" means a facility, hospital, or establishment licensed or organized under the Ambulatory Surgical Treatment Center Act, the University of Illinois Hospital Act, the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, or the Community Living Facilities Licensing Act.
"Health care facility list" means a list enumerating health care facilities and their designees that are served by a public water supply and maintained by a public water supply operator.
"Public water supply" has the same meaning as defined in Section 3.365.
"Public water supply operator" means any of the following entities that are responsible for the direct supervision of a public water supply: a municipality, a private corporation, an individual private owner, or a regularly organized body governed by a constitution and by-laws requiring regular election of officers.
"State agencies" means the Illinois Environmental Protection Agency and the Illinois Department of Public Health.
"Water supply operator" means any individual trained in the treatment or distribution of water who has practical, working knowledge of the chemical, biological, and physical sciences essential to the practical mechanics of water treatment or distribution and who is capable of conducting and maintaining the water treatment or distribution processes of a public water supply, as defined in Section 3.365 of the Environmental Protection Act, in a manner that will provide safe, potable water for human consumption.
(b) A public water supply operator, through its designated employees or contractors, shall notify its public water supply operator and all health care facilities on the public water supply's health care facility list not more than 30 days or fewer than 15 days before any known, planned, or anticipated disruption event. An anticipated disruption event includes for purposes of this subsection (b) any disruption event that could or should be reasonably anticipated by a public water supply operator.

(c) A public water supply operator, through its designated employees or contractors, shall notify its water supply operator and all health care facilities that are served by the public water supply and affected by any unplanned disruption event in the public water supply's water distribution system. The notification required under this subsection (c) shall be provided within 2 hours after the public water supply operator becomes aware of the unplanned disruption event.

(d) A health care facility shall designate an email address to receive electronic notifications from the public water supply operator concerning planned or unplanned disruption events. The email account shall be accessible to the health care facility's designated water management plan administrator and other responsible administrative personnel.

(e) Any planned or unplanned disruption event notification sent to a health care facility under this Section shall also be sent to the State agencies within 5 business days. Notification shall also be posted on the public water supply operator's website that is accessible to the public if such a website existed as of January 1, 2022. A public water supply operator may provide notification to its customers and the public on a social media website rather than posting the required notice on its website if (1) the public water supply operator uses the social media website to regularly communicate with its customers; (2) the social media website is accessible to the general public; and (3) the social media website's use will reduce the timeframe for customer notification. The State agencies shall establish, maintain, and retain a list of notifications received pursuant to this subsection (e).

The notice required under this Section shall include, but shall not be limited to, the following:

(1) a detailed description of the disruption event;

(2) the date, time, and location of the disruption event;

(3) the expected time needed to resolve the disruption event; and

(4) a list of the health care facilities notified by the public water supply operator.

Beginning one year after the effective date of this amendatory Act of the 102nd General Assembly, the State agencies shall make available upon request a list of disruption events, in an electronic format, sorted by the year and month of each occurrence.

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

Floor Amendment No. 2 was held in the Committee on Energy and Public Utilities.

Floor Amendment No. 3 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 Connor, **House Bill No. 260** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator D. Turner, as chief co-sponsor pursuant to Senate Rule 5-1(b)(ii), **House Bill No. 4568** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 4434** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Villivalam, **House Bill No. 4813** was taken up, read by title a second time.

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

Floor Amendment No. 2 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 Bennett, as chief co-sponsor pursuant to Senate Rule 5-1(b)(ii), **House Bill No. 5334** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Aquino, **House Bill No. 5465** was taken up, read by title a second time and ordered to a third reading.

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 11:57 o'clock a.m., the Chair announced that the Senate stands at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 12:52 o'clock p.m., the Senate resumed consideration of business.
Senator Koehler, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2022 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Energy and Public Utilities: **Floor Amendment No. 3 to House Bill 4988**.

Licensed Activities: **Committee Amendment No. 2 to House Bill 4769**.

Revenue: **House Bill No. 4326**.

State Government: **House Bill No. 4766**.

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2022 meeting, to which was referred **Senate Bill No. 1150** on April 23, 2021, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.
The report of the Committee was concurred in.
And **Senate Bill No. 1150** was returned to the order of third reading.

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2022 meeting, to which was referred **House Bill No. 691** on June 15, 2021, pursuant to Rule 3-9(a), reported that the Committee recommends that the bill be approved for consideration and returned to the calendar in its former position.
The report of the Committee was concurred in.
And **House Bill No. 691** was returned to the order of third reading.

LEGISLATIVE MEASURE FILED

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

Amendment No. 3 to House Bill 691

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Lightford, Chair of the Committee on Assignments, during its March 30, 2022 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: **Floor Amendment No. 3 to House Bill 691**.

SENATE BILL RECALLED

On motion of Senator Joyce, **Senate Bill No. 1146** was recalled from the order of third reading to the order of second reading.

Senator Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE BILL 1146

AMENDMENT NO. 1 . Amend Senate Bill 1146 by replacing everything after the enacting clause with the following:

"Section 5. The Use Tax Act is amended by changing Sections 3-10 and 3-41 and by adding Sections 3-5.1 and 3-42.5 as follows:

(35 ILCS 105/3-5.1 new)

Sec. 3-5.1. Biodiesel, renewable diesel, and biodiesel blends.

(a) From January 1, 2024 through March 31, 2024, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 10% but no more than 99% biodiesel.

(b) From April 1, 2024 through November 30, 2024, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 13% but no more than 99% biodiesel.

(c) From December 1, 2024 through March 31, 2025, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 10% but no more than 99% biodiesel.

(d) From April 1, 2025 through November 30, 2025, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 16% but no more than 99% biodiesel.

(e) From December 1, 2025 through March 31, 2026, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 10% but no more than 99% biodiesel.

(f) On and after April 1, 2026, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 19% but no more than 99% biodiesel; provided that, from December 1 of any calendar year through March 31 of the following calendar year, the taxes imposed by this Act, the Service Use Tax Act, the Service Occupation Tax Act, or the Retailers' Occupation Tax Act do not apply to the proceeds of sales of the following items: (i) biodiesel; (ii) renewable diesel; or (iii) biodiesel blends with more than 10% but no more than 99% biodiesel.

(g) This Section is exempt from the provisions of Section 3-90 of this Act, Section 3-75 of the Service Use Tax Act, Section 3-55 of the Service Occupation Tax Act, and Section 2-70 of the Retailers' Occupation Tax Act.

(35 ILCS 105/3-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of either the selling price or the fair market value, if any, of the tangible personal property. In all cases where property functionally used or consumed is the same as the property that was purchased at retail, then the tax is imposed on the selling price of the property. In all cases where property functionally used or consumed is a by-product or waste product that has been refined, manufactured, or produced from property purchased at retail, then the tax is imposed on the lower of the fair market value, if any, of the

specific property so used in this State or on the selling price of the property purchased at retail. For purposes of this Section "fair market value" means the price at which property would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy or sell and both having reasonable knowledge of the relevant facts. The fair market value shall be established by Illinois sales by the taxpayer of the same property as that functionally used or consumed, or if there are no such sales by the taxpayer, then comparable sales or purchases of property of like kind and character in Illinois.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

Beginning on August 6, 2010 through August 15, 2010, with respect to sales tax holiday items as defined in Section 3-6 of this Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, the tax imposed by this Act applies to (i) 70% of the proceeds of sales made on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the proceeds of sales made on or after July 1, 2003 and on or before July 1, 2017, and (iii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of gasohol is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2023 but applies to 100% of the proceeds of sales made thereafter.

With respect to biodiesel blends with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of sales made after December 31, 2018 and before January 1, 2024. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 ~~thereafter~~. If, at any time, however, the tax under this Act on sales of biodiesel blends with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel and biodiesel blends with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2023 ~~but applies to 100% of the proceeds of sales made thereafter~~. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1.

With respect to food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, products classified as Class III medical devices by the United States Food and Drug Administration that are used for cancer treatment pursuant to a prescription, as well as any accessories and components related to those devices, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, blood sugar testing materials, syringes, and needles used by human diabetics, the tax is imposed at the rate of 1%. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is

sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or

(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Program Act.

As used in this Section, "adult use cannabis" means cannabis subject to tax under the Cannabis Cultivation Privilege Tax Law and the Cannabis Purchaser Excise Tax Law and does not include cannabis subject to tax under the Compassionate Use of Medical Cannabis Program Act.

If the property that is purchased at retail from a retailer is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use.

(Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19; 102-4, eff. 4-27-21.)

(35 ILCS 105/3-41)

Sec. 3-41. Biodiesel. "Biodiesel" means a ~~renewable~~ diesel fuel substitute derived from biomass that is intended for use in diesel engines.

(Source: P.A. 93-17, eff. 6-11-03.)

(35 ILCS 105/3-42.5 new)

Sec. 3-42.5. Renewable diesel. "Renewable diesel" means a hydrocarbon fuel derived from biomass meeting the requirements of the latest version of ASTM standards D975 or D396. Fuels that have been co-processed are not considered renewable diesel.

Section 10. The Service Use Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 110/3-10) (from Ch. 120, par. 439.33-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the selling price of tangible personal property transferred as an incident to the sale of service, but, for the purpose of computing this tax, in no event shall the selling price be less than the cost price of the property to the serviceman.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the selling price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before July 1, 2017, and (iii) 100% of the selling price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2023 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of the selling price after December 31, 2018 and before January 1, 2024. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 of the Use Tax Act~~thereafter~~. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2023 ~~but applies to 100% of the selling price thereafter~~. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 of the Use Tax Act.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred as an incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the ID/DD Community Care Act, the MC/DD Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, products classified as Class III medical devices by the United States Food and Drug Administration that are used for cancer treatment pursuant to a prescription, as well as any accessories and components related to those devices, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, blood sugar testing materials, syringes, and needles used by human diabetics. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or

(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on January 1, 2014 (the effective date of Public Act 98-122), "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Program Act.

As used in this Section, "adult use cannabis" means cannabis subject to tax under the Cannabis Cultivation Privilege Tax Law and the Cannabis Purchaser Excise Tax Law and does not include cannabis subject to tax under the Compassionate Use of Medical Cannabis Program Act.

If the property that is acquired from a serviceman is acquired outside Illinois and used outside Illinois before being brought to Illinois for use here and is taxable under this Act, the "selling price" on which the tax is computed shall be reduced by an amount that represents a reasonable allowance for depreciation for the period of prior out-of-state use.

(Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19; 102-4, eff. 4-27-21; 102-16, eff. 6-17-21.)

Section 15. The Service Occupation Tax Act is amended by changing Section 3-10 as follows:

(35 ILCS 115/3-10) (from Ch. 120, par. 439.103-10)

Sec. 3-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of the "selling price", as defined in Section 2 of the Service Use Tax Act, of the tangible personal property. For the purpose of computing this tax, in no event shall the "selling price" be less than the cost price to the serviceman of the tangible personal property transferred. The selling price of each item of tangible personal property transferred as an incident of a sale of service may be shown as a distinct and separate item on the serviceman's billing to the service customer. If the selling price is not so shown, the selling price of the tangible personal property is deemed to be 50% of the serviceman's entire billing to the service customer. When, however, a serviceman contracts to design, develop, and produce special order machinery or equipment, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the completion of the contract.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act shall apply to (i) 70% of the cost price of property transferred as an incident to the sale of service on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before July 1, 2017, and (iii) 100% of the cost price thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2023 but applies to 100% of the selling price thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2018

and (ii) 100% of the proceeds of the selling price after December 31, 2018 and before January 1, 2024. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 of the Use Tax Act~~thereafter~~. If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel material, the tax imposed by this Act does not apply to the proceeds of the selling price of property transferred as an incident to the sale of service on or after July 1, 2003 and on or before December 31, 2023 ~~but applies to 100% of the selling price thereafter~~. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 of the Use Tax Act.

At the election of any registered serviceman made for each fiscal year, sales of service in which the aggregate annual cost price of tangible personal property transferred as an incident to the sales of service is less than 35%, or 75% in the case of servicemen transferring prescription drugs or servicemen engaged in graphic arts production, of the aggregate annual total gross receipts from all sales of service, the tax imposed by this Act shall be based on the serviceman's cost price of the tangible personal property transferred incident to the sale of those services.

The tax shall be imposed at the rate of 1% on food prepared for immediate consumption and transferred incident to a sale of service subject to this Act or the Service Occupation Tax Act by an entity licensed under the Hospital Licensing Act, the Nursing Home Care Act, the Assisted Living and Shared Housing Act, the ID/DD Community Care Act, the MC/DD Act, the Specialized Mental Health Rehabilitation Act of 2013, or the Child Care Act of 1969, or an entity that holds a permit issued pursuant to the Life Care Facilities Act. The tax shall also be imposed at the rate of 1% on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption and is not otherwise included in this paragraph) and prescription and nonprescription medicines, drugs, medical appliances, products classified as Class III medical devices by the United States Food and Drug Administration that are used for cancer treatment pursuant to a prescription, as well as any accessories and components related to those devices, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, blood sugar testing materials, syringes, and needles used by human diabetics. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section,

"grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or

(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on January 1, 2014 (the effective date of Public Act 98-122), "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Program Act.

As used in this Section, "adult use cannabis" means cannabis subject to tax under the Cannabis Cultivation Privilege Tax Law and the Cannabis Purchaser Excise Tax Law and does not include cannabis subject to tax under the Compassionate Use of Medical Cannabis Program Act.

(Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19; 102-4, eff. 4-27-21; 102-16, eff. 6-17-21.)

Section 20. The Retailers' Occupation Tax Act is amended by changing Section 2-10 as follows:

(35 ILCS 120/2-10)

Sec. 2-10. Rate of tax. Unless otherwise provided in this Section, the tax imposed by this Act is at the rate of 6.25% of gross receipts from sales of tangible personal property made in the course of business.

Beginning on July 1, 2000 and through December 31, 2000, with respect to motor fuel, as defined in Section 1.1 of the Motor Fuel Tax Law, and gasohol, as defined in Section 3-40 of the Use Tax Act, the tax is imposed at the rate of 1.25%.

Beginning on August 6, 2010 through August 15, 2010, with respect to sales tax holiday items as defined in Section 2-8 of this Act, the tax is imposed at the rate of 1.25%.

Within 14 days after the effective date of this amendatory Act of the 91st General Assembly, each retailer of motor fuel and gasohol shall cause the following notice to be posted in a prominently visible place on each retail dispensing device that is used to dispense motor fuel or gasohol in the State of Illinois: "As of July 1, 2000, the State of Illinois has eliminated the State's share of sales tax on motor fuel and gasohol through December 31, 2000. The price on this pump should reflect the elimination of the tax." The notice shall be printed in bold print on a sign that is no smaller than 4 inches by 8 inches. The sign shall be clearly visible to customers. Any retailer who fails to post or maintain a required sign through December 31, 2000 is guilty of a petty offense for which the fine shall be $500 per day per each retail premises where a violation occurs.

With respect to gasohol, as defined in the Use Tax Act, the tax imposed by this Act applies to (i) 70% of the proceeds of sales made on or after January 1, 1990, and before July 1, 2003, (ii) 80% of the proceeds of sales made on or after July 1, 2003 and on or before July 1, 2017, and (iii) 100% of the proceeds of sales made thereafter. If, at any time, however, the tax under this Act on sales of gasohol, as defined in the Use Tax Act, is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of gasohol made during that time.

With respect to majority blended ethanol fuel, as defined in the Use Tax Act, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2023 but applies to 100% of the proceeds of sales made thereafter.

With respect to biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel, the tax imposed by this Act applies to (i) 80% of the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2018 and (ii) 100% of the proceeds of sales made after December 31, 2018 and before January 1, 2024. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 of the Use Tax Act ~~thereafter.~~ If, at any time, however, the tax under this Act on sales of biodiesel blends, as defined in the Use Tax Act, with no less than 1% and no more than 10% biodiesel is imposed at the rate of 1.25%, then the tax imposed by this Act applies to 100% of the proceeds of sales of biodiesel blends with no less than 1% and no more than 10% biodiesel made during that time.

With respect to 100% biodiesel, as defined in the Use Tax Act, and biodiesel blends, as defined in the Use Tax Act, with more than 10% but no more than 99% biodiesel, the tax imposed by this Act does not apply to the proceeds of sales made on or after July 1, 2003 and on or before December 31, 2023 ~~but applies~~

~~to 100% of the proceeds of sales made thereafter~~. On and after January 1, 2024, the taxation of biodiesel, renewable diesel, and biodiesel blends shall be as provided in Section 3-5.1 of the Use Tax Act.

With respect to food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, food consisting of or infused with adult use cannabis, soft drinks, and food that has been prepared for immediate consumption) and prescription and nonprescription medicines, drugs, medical appliances, products classified as Class III medical devices by the United States Food and Drug Administration that are used for cancer treatment pursuant to a prescription, as well as any accessories and components related to those devices, modifications to a motor vehicle for the purpose of rendering it usable by a person with a disability, and insulin, blood sugar testing materials, syringes, and needles used by human diabetics, the tax is imposed at the rate of 1%. For the purposes of this Section, until September 1, 2009: the term "soft drinks" means any complete, finished, ready-to-use, non-alcoholic drink, whether carbonated or not, including but not limited to soda water, cola, fruit juice, vegetable juice, carbonated water, and all other preparations commonly known as soft drinks of whatever kind or description that are contained in any closed or sealed bottle, can, carton, or container, regardless of size; but "soft drinks" does not include coffee, tea, non-carbonated water, infant formula, milk or milk products as defined in the Grade A Pasteurized Milk and Milk Products Act, or drinks containing 50% or more natural fruit or vegetable juice.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "soft drinks" means non-alcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" do not include beverages that contain milk or milk products, soy, rice or similar milk substitutes, or greater than 50% of vegetable or fruit juice by volume.

Until August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine. Beginning August 1, 2009, and notwithstanding any other provisions of this Act, "food for human consumption that is to be consumed off the premises where it is sold" includes all food sold through a vending machine, except soft drinks, candy, and food products that are dispensed hot from a vending machine, regardless of the location of the vending machine.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "food for human consumption that is to be consumed off the premises where it is sold" does not include candy. For purposes of this Section, "candy" means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. "Candy" does not include any preparation that contains flour or requires refrigeration.

Notwithstanding any other provisions of this Act, beginning September 1, 2009, "nonprescription medicines and drugs" does not include grooming and hygiene products. For purposes of this Section, "grooming and hygiene products" includes, but is not limited to, soaps and cleaning solutions, shampoo, toothpaste, mouthwash, antiperspirants, and sun tan lotions and screens, unless those products are available by prescription only, regardless of whether the products meet the definition of "over-the-counter-drugs". For the purposes of this paragraph, "over-the-counter-drug" means a drug for human use that contains a label that identifies the product as a drug as required by 21 C.F.R. § 201.66. The "over-the-counter-drug" label includes:

(A) A "Drug Facts" panel; or

(B) A statement of the "active ingredient(s)" with a list of those ingredients contained in the compound, substance or preparation.

Beginning on the effective date of this amendatory Act of the 98th General Assembly, "prescription and nonprescription medicines and drugs" includes medical cannabis purchased from a registered dispensing organization under the Compassionate Use of Medical Cannabis Program Act.

As used in this Section, "adult use cannabis" means cannabis subject to tax under the Cannabis Cultivation Privilege Tax Law and the Cannabis Purchaser Excise Tax Law and does not include cannabis subject to tax under the Compassionate Use of Medical Cannabis Program Act.
(Source: P.A. 101-363, eff. 8-9-19; 101-593, eff. 12-4-19; 102-4, eff. 4-27-21.)

Section 25. The Motor Fuel Tax Law is amended by adding Section 3d as follows:
(35 ILCS 505/3d new)
Sec. 3d. Right to blend.
(a) A distributor who is properly licensed and permitted as a blender pursuant to this Act may blend petroleum-based diesel fuel with biodiesel and sell the blended or unblended product on any premises

owned and operated by the distributor for the purpose of supporting or facilitating the retail sale of motor fuel.

(b) A refiner or supplier of petroleum-based diesel fuel or biodiesel shall not refuse to sell or transport to a distributor who is properly licensed and permitted as a blender pursuant to this Act any petroleum-based diesel fuel or biodiesel based on the distributor's or dealer's intent to use that product for blending.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILL OF THE SENATE A THIRD TIME

On motion of Senator Joyce, **Senate Bill No. 1146** having been transcribed and typed and all amendments adopted thereto having been printed, was taken up and read by title a third time.

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

YEAS 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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

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

HOUSE BILL RECALLED

On motion of Senator Morrison, **House Bill No. 4306** was recalled from the order of third reading to the order of second reading.

Senator Morrison offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO HOUSE BILL 4306

AMENDMENT NO. 1 . Amend House Bill 4306 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by adding Section 5.26 as follows: (20 ILCS 505/5.26 new)

Sec. 5.26. Holistic Mental Health Care for Youth in Care Task Force.

(a) The Holistic Mental Health Care for Youth in Care Task Force is created. The Task Force shall review and make recommendations regarding mental health and wellness services provided to youth in care, including a program of holistic mental health services provided 30 days after the date upon which a youth is placed in foster care, in order to determine how to best meet the mental health needs of youth in care. Additionally, the Task Force shall:

(1) assess the capacity of State licensed mental health professionals to provide preventive mental health care to youth in care;

(2) review the current payment rates for mental health providers serving the youth in care population;

(3) evaluate the process for smaller private practices and agencies to bill through managed care, evaluate delayed payments to mental health providers, and recommend improvements to make billing practices more efficient;

(4) evaluate the recruitment and retention of mental health providers who are persons of color to serve the youth in care population; and

(5) any other relevant subject and processes as deemed necessary by the Task Force.

(b) The Task Force shall have 9 members, comprised as follows:

(1) The Director of Healthcare and Family Services or the Director's designee.

(2) The Director of Children and Family Services or the Director's designee.

(3) A member appointed by the Governor from the Office of the Governor who has a focus on mental health issues.

(4) Two members from the House of Representatives, appointed one each by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives.

(5) Two members of the Senate, appointed one each by the President of the Senate and the Minority Leader of the Senate.

(6) One member who is a former youth in care, appointed by the Governor.

(7) One representative from the managed care entity managing the YouthCare program, appointed by the Director of Healthcare and Family Services.

Task Force members shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties.

(c) The Task Force shall meet at least once each month beginning no later than July 1, 2022 and at other times as determined by the Task Force. The Task Force may hold electronic meetings and a member of the Task Force shall be deemed present for the purposes of establishing a quorum and voting.

(d) The Department of Healthcare and Family Services, in conjunction with the Department of Children and Family Services, shall provide administrative and other support to the Task Force.

(e) The Task Force shall prepare and submit to the Governor and the General Assembly at the end of each quarter a report that summarizes its work and makes recommendations resulting from its study. The Task Force shall submit its final report to the Governor and the General Assembly no later than December 31, 2024. Upon submission of its final report, the Task Force is dissolved.

(f) This Section is repealed on January 1, 2026.

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

The motion prevailed.

And the amendment was adopted and ordered printed.

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

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Morrison, **House Bill No. 4306** 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 54; NAYS None.

The following voted in the affirmative:

Aquino	Fowler	Martwick	Stadelman
Bailey	Gillespie	McClure	Stewart
Belt	Glowiak Hilton	McConchie	Stoller
Bennett	Harris	Morrison	Tracy
Bryant	Hastings	Muñoz	Turner, D.
Bush	Holmes	Murphy	Turner, S.
Castro	Hunter	Pacione-Zayas	Van Pelt
Connor	Johnson	Pappas	Villa
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Wilcox
Ellman	Landek	Rose	Mr. President
Feigenholtz	Lightford	Simmons	
Fine	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harris, **House Bill No. 4313** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Connor, **House Bill No. 4316** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Martwick, **House Bill No. 4320** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Morrison, **House Bill No. 4324** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stadelman
Aquino	Fowler	McClure	Stewart
Bailey	Gillespie	McConchie	Stoller
Belt	Glowiak Hilton	Morrison	Syverson
Bennett	Harris	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Bush	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
Curran	Koehler	Rezin	Villivalam
DeWitte	Landek	Rose	Wilcox
Ellman	Lightford	Simmons	Mr. President
Feigenholtz	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **House Bill No. 4333** 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 54; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stewart
Aquino	Gillespie	McClure	Stoller
Bailey	Glowiak Hilton	McConchie	Syverson
Belt	Harris	Morrison	Tracy
Bennett	Hastings	Muñoz	Turner, D.
Bryant	Holmes	Murphy	Turner, S.
Bush	Hunter	Pappas	Van Pelt
Castro	Johnson	Peters	Villa
Connor	Jones, E.	Plummer	Villanueva
Cunningham	Joyce	Rezin	Villivalam
DeWitte	Koehler	Rose	Wilcox
Ellman	Landek	Simmons	Mr. President
Feigenholtz	Lightford	Sims	
Fine	Loughran Cappel	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.

On motion of Senator Villanueva, **House Bill No. 4338** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Sims
Aquino	Fowler	Martwick	Stadelman
Bailey	Gillespie	McClure	Stewart
Belt	Glowiak Hilton	McConchie	Stoller
Bennett	Harris	Morrison	Tracy
Bryant	Hastings	Muñoz	Turner, D.
Bush	Holmes	Murphy	Turner, S.
Castro	Hunter	Pacione-Zayas	Van Pelt
Connor	Johnson	Pappas	Villa
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Wilcox
Ellman	Landek	Rose	Mr. President
Feigenholtz	Lightford	Simmons	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **House Bill No. 4349** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	

Feigenholtz	Loughran Cappel	Stadelman
Fine	Martwick	Stewart

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.

On motion of Senator Tracy, **House Bill No. 4362** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Fine, **House Bill No. 4365** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President

DeWitte	Landek	Simmons
Ellman	Lightford	Sims
Feigenholtz	Loughran Cappel	Stadelman
Fine	Martwick	Stewart

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.

On motion of Senator Harris, **House Bill No. 4366** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Simmons, **House Bill No. 4369** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam

Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Hunter, **House Bill No. 4410** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stewart
Bailey	Gillespie	McClure	Stoller
Belt	Glowiak Hilton	McConchie	Syverson
Bennett	Harris	Morrison	Tracy
Bryant	Hastings	Muñoz	Turner, D.
Bush	Holmes	Murphy	Turner, S.
Castro	Hunter	Pacione-Zayas	Van Pelt
Connor	Johnson	Pappas	Villa
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Wilcox
Ellman	Landek	Simmons	Mr. President
Feigenholtz	Lightford	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harris, **House Bill No. 4433** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva

Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Feigenholtz, **House Bill No. 4435** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Belt	Harris	Morrison	Syverson
Bennett	Hastings	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Bush	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
Curran	Koehler	Rezin	Villivalam
DeWitte	Landek	Rose	Wilcox
Ellman	Lightford	Simmons	Mr. President
Feigenholtz	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Harris, **House Bill No. 4493** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa

Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Simmons, **House Bill No. 4589** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Hunter, **House Bill No. 4595** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Sims
Aquino	Fowler	Martwick	Stadelman
Bailey	Gillespie	McClure	Stewart
Belt	Glowiak Hilton	McConchie	Stoller
Bennett	Harris	Morrison	Syverson

Bryant	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Turner, D.
Castro	Hunter	Pacione-Zayas	Turner, S.
Connor	Johnson	Pappas	Van Pelt
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Wilcox
Ellman	Landek	Rose	Mr. President
Feigenholtz	Lightford	Simmons	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Glowiak Hilton, **House Bill No. 4604** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Villanueva, **House Bill No. 4605** 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 51; NAYS None.

The following voted in the affirmative:

Aquino	Fowler	Loughran Cappel	Stewart
Belt	Gillespie	Martwick	Stoller
Bennett	Glowiak Hilton	McClure	Syverson
Bryant	Harris	McConchie	Tracy

Bush	Hastings	Morrison	Turner, D.
Castro	Holmes	Muñoz	Turner, S.
Connor	Hunter	Murphy	Van Pelt
Cunningham	Johnson	Pacione-Zayas	Villa
Curran	Jones, E.	Pappas	Villanueva
DeWitte	Joyce	Peters	Villivalam
Ellman	Koehler	Simmons	Wilcox
Feigenholtz	Landek	Sims	Mr. President
Fine	Lightford	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.

On motion of Senator Cunningham, **House Bill No. 4629** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Hunter, **House Bill No. 4645** 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 54; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Bennett	Harris	Morrison	Tracy

Bryant	Hastings	Muñoz	Turner, D.
Bush	Holmes	Murphy	Turner, S.
Castro	Hunter	Pacione-Zayas	Van Pelt
Connor	Johnson	Pappas	Villa
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Wilcox
Ellman	Landek	Rose	Mr. President
Feigenholtz	Lightford	Simmons	
Fine	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator E. Jones III, **House Bill No. 4665** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

HOUSE BILL RECALLED

On motion of Senator Hunter, **House Bill No. 4674** was recalled from the order of third reading to the order of second reading.

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

Senator Hunter offered the following amendment and moved its adoption:

AMENDMENT NO. 3 TO HOUSE BILL 4674

AMENDMENT NO. 3 . Amend House Bill 4674, AS AMENDED, 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. At least 5 of the 10 hours of continuing education required under this subsection shall be separate and distinct from any continuing education hours required for any license that the employee holds. Any continuing education hours provided by the Department in addition to the 10 hours of continuing education required under this subsection may count towards continuing education hours 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 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 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 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 10 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 10 days of the determination, but the name of the complainant or residents shall not be disclosed in this notice to the facility. The notice 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.

(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 imposed discretionary denial of payment within 15 days of notice and within 2 days of notice as well as the number of times the discretionary denial of payment took effect;~~,~~ 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.)".

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 BILLS FROM THE HOUSE OF REPRESENTATIVES A THIRD TIME

On motion of Senator Hunter, **House Bill No. 4674** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Sims
Aquino	Fowler	Martwick	Stadelman
Bailey	Gillespie	McClure	Stewart
Belt	Glowiak Hilton	McConchie	Stoller
Bennett	Harris	Morrison	Syverson
Bryant	Hastings	Muñoz	Turner, D.
Bush	Holmes	Murphy	Turner, S.
Castro	Hunter	Pacione-Zayas	Van Pelt
Connor	Johnson	Pappas	Villa
Cunningham	Jones, E.	Peters	Villanueva
Curran	Joyce	Plummer	Villivalam
DeWitte	Koehler	Rezin	Wilcox
Ellman	Landek	Rose	Mr. President
Feigenholtz	Lightford	Simmons	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Holmes, **House Bill No. 4680** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Belt	Harris	Morrison	Syverson
Bennett	Hastings	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Bush	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
Curran	Koehler	Rezin	Villivalam
DeWitte	Landek	Rose	Wilcox
Ellman	Lightford	Simmons	Mr. President
Feigenholtz	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **House Bill No. 4690** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Gillespie, **House Bill No. 4703** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Belt	Harris	Morrison	Syverson
Bennett	Hastings	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Bush	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Curran	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Glowiak Hilton, **House Bill No. 4716** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stadelman
Aquino	Fowler	McClure	Stewart
Bailey	Gillespie	McConchie	Stoller
Belt	Glowiak Hilton	Morrison	Syverson
Bennett	Harris	Muñoz	Tracy
Bryant	Hastings	Murphy	Turner, D.
Bush	Holmes	Pacione-Zayas	Turner, S.
Castro	Hunter	Pappas	Van Pelt
Connor	Johnson	Peters	Villa
Cunningham	Jones, E.	Plummer	Villanueva
Curran	Joyce	Rezin	Villivalam
DeWitte	Koehler	Rose	Wilcox
Ellman	Landek	Simmons	Mr. President
Feigenholtz	Lightford	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bennett, **House Bill No. 4724** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Pacione-Zayas, **House Bill No. 4728** 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 53; NAY 1.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stadelman
Aquino	Fowler	Martwick	Stewart
Bailey	Gillespie	McClure	Stoller
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Harris	Muñoz	Turner, D.
Bryant	Hastings	Murphy	Turner, S.
Bush	Holmes	Pacione-Zayas	Van Pelt
Castro	Hunter	Pappas	Villa
Connor	Johnson	Peters	Villanueva
Cunningham	Jones, E.	Plummer	Villivalam
Curran	Joyce	Rezin	Mr. President
DeWitte	Koehler	Rose	
Ellman	Landek	Simmons	
Feigenholtz	Lightford	Sims	

The following voted in the negative:

Wilcox

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator D. Turner, **House Bill No. 4739** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Villa, **House Bill No. 4797** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam

Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Loughran Cappel, **House Bill No. 4798** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Fowler, **House Bill No. 4821** 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 54; NAYS 2.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stewart
Aquino	Fowler	Martwick	Stoller
Bailey	Gillespie	McClure	Syverson
Belt	Glowiak Hilton	McConchie	Tracy
Bennett	Harris	Morrison	Turner, D.
Bryant	Hastings	Muñoz	Turner, S.
Bush	Holmes	Murphy	Van Pelt

Castro	Hunter	Pacione-Zayas	Villa
Connor	Johnson	Pappas	Villanueva
Cunningham	Jones, E.	Peters	Villivalam
Curran	Joyce	Rezin	Wilcox
DeWitte	Koehler	Simmons	Mr. President
Ellman	Landek	Sims	
Feigenholtz	Lightford	Stadelman	

The following voted in the negative:

Plummer
Rose

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Morrison, **House Bill No. 4825** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fine	Martwick	Stadelman
Aquino	Fowler	McClure	Stewart
Bailey	Gillespie	McConchie	Stoller
Belt	Glowiak Hilton	Morrison	Syverson
Bennett	Harris	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Bush	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
Curran	Koehler	Rezin	Villivalam
DeWitte	Landek	Rose	Wilcox
Ellman	Lightford	Simmons	Mr. President
Feigenholtz	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Bush, **House Bill No. 4922** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson

Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Martwick, **House Bill No. 4924** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator S. Turner, **House Bill No. 4986** 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 53; NAYS 2.

The following voted in the affirmative:

Anderson	Fine	Loughran Cappel	Stewart
Aquino	Fowler	Martwick	Stoller
Bailey	Gillespie	McClure	Tracy
Belt	Glowiak Hilton	McConchie	Turner, D.
Bennett	Harris	Morrison	Turner, S.
Bryant	Hastings	Muñoz	Van Pelt
Bush	Holmes	Murphy	Villa
Castro	Hunter	Pacione-Zayas	Villanueva
Connor	Johnson	Pappas	Villivalam
Cunningham	Jones, E.	Peters	Wilcox
Curran	Joyce	Rezin	Mr. President
DeWitte	Koehler	Simmons	
Ellman	Landek	Sims	
Feigenholtz	Lightford	Stadelman	

The following voted in the negative:

Plummer
Rose

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Villivalam, **House Bill No. 4990** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Belt	Harris	Morrison	Syverson
Bennett	Hastings	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Bush	Hunter	Pacione-Zayas	Turner, S.
Castro	Johnson	Pappas	Van Pelt
Connor	Jones, E.	Peters	Villa
Cunningham	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Belt, **House Bill No. 4994** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator S. Turner, **House Bill No. 4998** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Villanueva, **House Bill No. 4999** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Belt	Harris	Morrison	Syverson
Bennett	Hastings	Muñoz	Tracy
Bryant	Holmes	Murphy	Turner, D.
Castro	Hunter	Pacione-Zayas	Turner, S.
Connor	Johnson	Pappas	Van Pelt
Cunningham	Jones, E.	Peters	Villa
Curran	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Joyce, **House Bill No. 5003** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Johnson, **House Bill No. 5014** 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 56; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	McClure	Stoller
Aquino	Gillespie	McConchie	Syverson
Bailey	Glowiak Hilton	Morrison	Tracy
Belt	Harris	Muñoz	Turner, D.
Bennett	Hastings	Murphy	Turner, S.
Bryant	Holmes	Pacione-Zayas	Van Pelt
Bush	Hunter	Pappas	Villa
Castro	Johnson	Peters	Villanueva
Connor	Jones, E.	Plummer	Villivalam
Cunningham	Joyce	Rezin	Wilcox
Curran	Koehler	Rose	Mr. President
DeWitte	Landek	Simmons	
Ellman	Lightford	Sims	
Feigenholtz	Loughran Cappel	Stadelman	
Fine	Martwick	Stewart	

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.

On motion of Senator Simmons, **House Bill No. 5016** 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 55; NAYS None.

The following voted in the affirmative:

Anderson	Fowler	Martwick	Stadelman
Aquino	Gillespie	McClure	Stewart
Bailey	Glowiak Hilton	McConchie	Stoller
Belt	Harris	Morrison	Syverson
Bennett	Hastings	Muñoz	Tracy
Bush	Holmes	Murphy	Turner, D.
Castro	Hunter	Pacione-Zayas	Turner, S.
Connor	Johnson	Pappas	Van Pelt
Cunningham	Jones, E.	Peters	Villa
Curran	Joyce	Plummer	Villanueva
DeWitte	Koehler	Rezin	Villivalam
Ellman	Landek	Rose	Wilcox
Feigenholtz	Lightford	Simmons	Mr. President
Fine	Loughran Cappel	Sims	

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

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Fine, **House Bill No. 5018** 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 39; NAYS 16.

The following voted in the affirmative:

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

The following voted in the negative:

Anderson	McClure	Stewart	Wilcox
Bailey	McConchie	Stoller	
Bryant	Plummer	Syverson	
DeWitte	Rezin	Tracy	
Fowler	Rose	Turner, S.	

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

Ordered that the Secretary inform the House of Representatives thereof.

At the hour of 2:36 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 6:55 o'clock p.m., the Senate resumed consideration of business.

Senator Cunningham, presiding.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 944

Offered by Senator D. Turner and all Senators:

Mourns the death of Ke'Mareon Rice of Decatur.

SENATE RESOLUTION NO. 946

Offered by Senator Simmons and all Senators:

Mourns the death of Elise Malary.

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

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

SENATE RESOLUTION NO. 943

WHEREAS, Prescribed fire provides multiple ecological, economic, and cultural benefits to the State of Illinois; and

WHEREAS, Prescribed fire has been practiced for thousands of years and was a primary tool used by Indigenous peoples to attract game, stimulate a rich ground layer of plants for harvesting, and keep woodlands and grasslands open and easy to traverse; and

WHEREAS, Prescribed fire is a traditional land management practice and public safety tool that helps prevent and lessen the severity of wildfires; and

WHEREAS, Prescribed fire is a valuable tool used by forest landowners and managers in reducing hazardous fuels, reducing the risk of destructive wildfires, preparing sites for both natural and artificial forest regeneration, improving access to and the appearance of land, and controlling detrimental insects and forest diseases; and

WHEREAS, Prescribed fire is an effective natural tool for controlling invasive species; and

WHEREAS, Prescribed fire is one of the most important land management practices in maintaining and restoring healthy landscapes, but only approximately 6% of conservation lands in Illinois are currently being managed with prescribed fire; and

WHEREAS, Prescribed fire is used to restore and maintain fire-dependent ecosystems and to manage wildlife habitat for many species; it is a vital tool to maintain economic, biological, and aesthetic resources across Illinois; and

WHEREAS, The Illinois Prescribed Fire Council is an organization of both public and private partners with a mission to promote the safe and continued use of prescribed fire on the Illinois landscape; and

WHEREAS, The Illinois General Assembly passed the Illinois Prescribed Burning Act in 2007 defining prescribed fire as "the planned application of fire to naturally occurring vegetative fuels under specified environmental conditions and following appropriate precautionary measures, which causes the fire to be confined to a predetermined area and accomplish the planned land management objectives."; and

WHEREAS, Prescribed fire helps keep Illinois grasslands and forests healthy, which, in return, provides ecological services such as clean air and clean water and contributes to the quality of life of the State's citizens and to local economies; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare April 11-15, 2022 as "Prescribed Burning Awareness Week" in the State of Illinois; and be it further

RESOLVED, That we support the appropriate and continued use of prescribed fire in Illinois; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the Illinois Prescribed Fire Council as a symbol of our respect and esteem.

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

SENATE RESOLUTION NO. 945

WHEREAS, César Chávez was born to immigrant parents on March 31, 1927 on a farm near Yuma, Arizona; in the late 1930s, his family lost their farm and became migrant workers in California; he quit school after the 8th grade in order to help support his family by working in the fields full time; and

WHEREAS, From a young age, César Chávez encountered wretched migrant camps, corrupt labor contractors, meager wages for backbreaking work, and bitter racism; he later helped improve those conditions for millions of workers across the U.S.; and

WHEREAS, César Chávez was introduced to labor organizing in 1952 when community organizer Fred Ross recruited him to the Community Service Organization; he soon took the position of national director for the organization but resigned in 1962 to devote his time to organizing a union for farm workers; and

WHEREAS, Driven to improve the working conditions he experienced as a child, César Chávez co-founded the National Farm Workers Association in 1962, which would later become the United Farm Workers of America (UFW); and

WHEREAS, César Chávez's leadership and nonviolent tactics were utilized during the Delano, California grape strike, which began in September 1965; his fasts and the 340-mile march from Delano to Sacramento focused national attention on the problems of farm workers; the marchers wanted California to pass laws that would permit farm workers to organize into a union and allow collective bargaining agreements; and

WHEREAS, The first union contracts required rest periods, clean drinking water, hand washing stations, and protective clothing to prevent pesticide exposure; the contracts were signed in 1966 but were followed by more years of conflict; in 1968, César Chávez began a fast that lasted 25 days to protest the increasing advocacy of violence within the union; on July 29, 1970, 26 Delano-area growers formally signed contracts recognizing the UFW, bringing peace to the vineyard; and

WHEREAS, After a hard-fought battle with the California state government and various growers, the United Farm Workers of America and César Chávez managed to pass the landmark Agricultural Labor Relations Act of 1975, which guaranteed California farm workers the right to organize and bargain with their employers; and

WHEREAS, César Chávez passed away in his sleep on April 23, 1933 after devoting his life to making a change for the working class by fighting for equal pay and better working conditions; and

WHEREAS, On August 8 1994, César Chávez posthumously received a Presidential Medal of Freedom from President Bill Clinton in recognition of the formidable and often violent oppositions he faced with dignity and nonviolence; and

WHEREAS, Today, the United Farm Workers of America continues its vigilant protection of its many union members; the UFW remains strong, a fact that would certainly make César Chávez proud; therefore, be it

RESOLVED, BY THE SENATE OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we declare March 31, 2022 as "César Estrada Chávez Day" in the State of

Illinois in order to commemorate his selfless fight to ensure the dignity of workers and their ability to unionize and collectively bargain in the United States; and be it further

RESOLVED, That a suitable copy of this resolution be presented to the family of César Chávez as a symbol of our great esteem and respect.

REPORTS FROM STANDING COMMITTEES

Senator Castro, Chair of the Committee on Executive, to which was referred **House Bills Numbered 1167, 5093, 5412 and 5532**, 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 2775, 4073, 4126 and 5439**, 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 amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to House Bill 691
Senate Amendment No. 3 to House Bill 1780
Senate Amendment No. 1 to House Bill 4489
Senate Amendment No. 1 to House Bill 4600

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

Senator Landek, Chair of the Committee on State Government, to which was referred **House Bills Numbered 4639 and 4740**, reported the same back with the recommendation that the bills do pass.

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

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

Senate Amendment No. 2 to House Bill 5015

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 4388, 4715, 4929 and 5167**, 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 4501 and 4769**, 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 **House Bill No. 4284**, reported the same back with the recommendation that the bill do pass.

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

Senator Ellman, Chair of the Committee on Financial Institutions, to which was referred **House Bill No. 5194**, reported the same back with the recommendation that the bill do pass.

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

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 passage of a bill of the following title, to-wit:

SENATE BILL NO. 2945

A bill for AN ACT concerning health.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2945

Passed the House, as amended, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2945

AMENDMENT NO. 1 . Amend Senate Bill 2945 on page 1, line 7, by inserting "as a special fund" after "Fund".

Under the rules, the foregoing **Senate Bill No. 2945**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 3069

A bill for AN ACT concerning revenue.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3069

Passed the House, as amended, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3069

AMENDMENT NO. 1 . Amend Senate Bill 3069 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by changing Section 16-160 as follows:

(35 ILCS 200/16-160)

Sec. 16-160. Property Tax Appeal Board; process. In counties with 3,000,000 or more inhabitants, beginning with assessments made for the 1996 assessment year for residential property of 6 units or less and beginning with assessments made for the 1997 assessment year for all other property, and for all property in any county other than a county with 3,000,000 or more inhabitants, any taxpayer dissatisfied with the decision of a board of review or board of appeals as such decision pertains to the assessment of his or her property for taxation purposes, or any taxing body that has an interest in the decision of the board of review or board of appeals on an assessment made by any local assessment officer, may, (i) in counties with less than 3,000,000 inhabitants within 30 days after the date of written notice of the decision of the board of review or (ii) in assessment year 1999 and thereafter in counties with 3,000,000 or more inhabitants within 30 days after the date of the board of review notice or within 30 days after the date that the board of review transmits to the county assessor pursuant to Section 16-125 its final action on the township in which the

property is located, whichever is later, appeal the decision to the Property Tax Appeal Board for review. In any appeal where the board of review or board of appeals has given written notice of the hearing to the taxpayer 30 days before the hearing, failure to appear at the board of review or board of appeals hearing shall be grounds for dismissal of the appeal unless a continuance is granted to the taxpayer. If an appeal is dismissed for failure to appear at a board of review or board of appeals hearing, the Property Tax Appeal Board shall have no jurisdiction to hear any subsequent appeal on that taxpayer's complaint. Such taxpayer or taxing body, hereinafter called the appellant, shall file a petition with the clerk of the Property Tax Appeal Board, setting forth the facts upon which he or she bases the objection, together with a statement of the contentions of law which he or she desires to raise, and the relief requested. If a petition is filed by a taxpayer, the taxpayer is precluded from filing objections based upon valuation, as may otherwise be permitted by Sections 21-175 and 23-5. However, any taxpayer not satisfied with the decision of the board of review or board of appeals as such decision pertains to the assessment of his or her property need not appeal the decision to the Property Tax Appeal Board before seeking relief in the courts. The changes made by this amendatory Act of the 91st General Assembly shall be effective beginning with the 1999 assessment year.

An association may, on behalf of all or several of the owners that constitute the association, file an appeal to the Property Tax Appeal Board or intervene in an appeal to the Property Tax Appeal Board filed by a taxing body. For purposes of this Section, "association" means: (1) a common interest community association, as that term is defined in Section 1-5 of the Common Interest Community Association Act; (2) a unit owners' association, as that term is defined in subsection (o) of Section 2 of the Condominium Property Act; or (3) a master association, as that term is defined in subsection (u) of Section 2 of the Condominium Property Act.

(Source: P.A. 91-393, eff. 7-30-99; 91-425, eff. 8-6-99.)".

Under the rules, the foregoing **Senate Bill No. 3069**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 3127

A bill for AN ACT concerning emergency services.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3127

Passed the House, as amended, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3127

AMENDMENT NO. 2 . Amend Senate Bill 3127 by deleting line 18 on page 23 through line 16 on page 36.

Under the rules, the foregoing **Senate Bill No. 3127**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 66

WHEREAS, It is highly fitting that the Illinois General Assembly pays honor and respect to individuals who have given their lives in service to their communities; and

WHEREAS, Wayne County Sheriff's Deputy Sean Riley was killed in the line of duty on December 29, 2021; and

WHEREAS, Deputy Riley was born to Doug and Mary Jo (Hill) Riley on November 5, 1983; he married Leslie Young on August 11, 2007; and

WHEREAS, Deputy Riley was a three-year veteran of the Wayne County Sheriff's Department, where he served as both a corrections officer and patrol deputy; and

WHEREAS, Deputy Riley was preceded in death by his mother, Mary Jo Riley; and

WHEREAS, Deputy Riley is survived by his wife, Leslie; his children, Logan Brown, Deegan Riley, and Mia Jo Riley; his father, Doug Riley; his sister, Spring (Darrin) Bonney; his mother-in-law, Glenda Young; his sister-in-law, Glenna (Jim) Michael; and several aunts, uncles, cousins, and a special aunt, Margaret (Joe) Molt; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE ONE HUNDRED SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that we designate Interstate 64 in Wayne County from Mile Post 112 to 116 as the "Deputy Sean Riley Memorial Highway"; and be it further

RESOLVED, That the Illinois Department of Transportation is requested to erect at suitable locations, consistent with State and federal regulations, appropriate plaques or signs giving notice of the name "Deputy Sean Riley Memorial Highway"; and be it further

RESOLVED, That suitable copies of this resolution be presented to the family of Deputy Riley and the Secretary of Transportation.

Adopted by the House, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 66 was referred to the Committee on Assignments.

A message from the House by

Mr. Hollman, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1567

A bill for AN ACT concerning State government.

HOUSE BILL NO. 1592

A bill for AN ACT concerning State government.

Passed the House, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

The foregoing **House Bills Numbered 1567 and 1592** were taken up, ordered printed and placed on first reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 1592, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 1567, sponsored by Senator Harmon, was taken up, read by title a first time and referred to the Committee on Assignments.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Curran, **House Bill No. 4284** 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. 4677** 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. 1167** 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. 4929** 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. 4715** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator DeWitte, **House Bill No. 5447** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Castro, **House Bill No. 5412** having been printed, was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Curran, **House Bill No. 4740** 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. 4388** having been printed, was taken up, read by title a second time and ordered to a third reading.

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 passage of a bill of the following title, to-wit:

SENATE BILL NO. 3189

A bill for AN ACT concerning revenue.
Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:
House Amendment No. 1 to SENATE BILL NO. 3189
Passed the House, as amended, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3189

AMENDMENT NO. 1 . Amend Senate Bill 3189 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Division 21 to Article 10 as follows:
(35 ILCS 200/Art. 10 Div. 21 heading new)

Division 21. Southland reactivation property

(35 ILCS 200/10-800 new)
Sec. 10-800. Southland reactivation property.
(a) For the purposes of this Section:
"Base year" means the last tax year prior to the date of the application for southland reactivation designation during which the property was occupied and assessed and had an equalized assessed value.

"Cook County Land Bank Authority" means the Cook County Land Bank Authority created by ordinance of the Cook County Board.

"Municipality" means a city, village, or incorporated town located in the State.

"Participating entity" means any of the following, either collectively or individually: the municipality in which the property is located; the South Suburban Land Bank and Development Authority; or the Cook County Land Bank Development Authority.

"Southland reactivation property" means property that:

(1) has been designated by the municipality by resolution as a priority tax reactivation parcel, site, or property due to its clear pattern of stagnation and depressed condition or the decline in its assessed valuation;

(2) is held by a participating entity; and

(3) meets all of the following criteria:

(A) the property is zoned for commercial or industrial use;

(B) the property has had its past property taxes cleared and is now classified as exempt, or the property has not had a lawful occupant for at least 12 months immediately preceding the application for certification as southland reactivation property, as attested to by a supporting affidavit;

(C) the sale or transfer of the property, following southland reactivation designation, to a developer would result in investment which would result a higher assessed value;

(D) the property will be sold by a participating entity to a buyer of property that has been approved by the corporate authorities of the municipality or to a developer that has been approved by the corporate authorities of the municipality whose redevelopment of the parcel, site, or property would reverse long-standing divestment in the area, enhance inclusive economic growth, create jobs or career pathways, support equitable recovery of the community, and stabilize the tax base through investments that align with local government plans and priorities;

(E) an application for southland reactivation designation is filed with the participating entity and a resolution designating the property as southland reactivation property is passed by the municipality prior to the sale, rehabilitation, or reoccupation;

(F) if not for the southland reactivation designation, development or redevelopment of the property would not occur; and

(G) the property is located in any of the following Townships in Cook County: Bloom, Bremen, Calumet, Rich, Thornton, or Worth.

"South Suburban Land Bank and Development Authority" means the South Suburban Land Bank and Development Authority created in 2012 by intergovernmental agreement.

"Tax year" means the calendar year for which assessed value is determined as of January 1 of that year.

(b) Within 5 years after the effective date of this amendatory Act of the 102nd General Assembly, purchasers of real property from any of the participating entities may apply to that entity to have the property certified as southland reactivation property if the property meets the criteria for southland reactivation property set forth in subsection (a). The participating entity has 5 years from the effective date of this amendatory Act of the 102nd General Assembly within which it may certify the property as southland reactivation property for the purposes of promoting rehabilitation of abandoned, vacant, or underutilized property to attract and enhance economic activities and investment that stabilize, restore, and grow the tax base in severely blighted areas within Chicago's south suburbs. This certification is nonrenewable and shall be transmitted by the municipality, or by the participating entity on behalf of the municipality, to the chief county assessment officer as soon as possible after the property is certified. Southland reactivation designation is limited to the original applicant unless expressly approved by the corporate authorities of the municipality and the property has no change in use.

Support by the corporate authorities of the municipality for southland reactivation designation shall be considered in a lawful public meeting, and impacted taxing districts shall receive notification of the agenda item to consider southland reactivation of the site not less than 15 days prior to that meeting.

(c) Beginning with the first tax year after the property is certified as southland reactivation property and continuing through the twelfth tax year after the property is certified as southland reactivation property, for the purpose of taxation under this Code, the property shall be valued at 50% of the base year equalized assessed value as established by the chief county assessment officer, excluding all years with property tax

exemptions applied as a result of the participating entity's ownership. For the first year after the property is certified as southland reactivation property, the aggregate property tax liability for the property shall be no greater than $100,000 per year. That aggregate property tax liability, once collected, shall be distributed to the taxing districts in which the property is located according to each taxing district's proportionate share of that aggregate liability. Beginning with the second tax year after the property is certified as southland reactivation property and continuing through the twelfth tax year after the property is certified as southland reactivation property, the property tax liability for the property for each taxing district in which the property is located shall be increased over the property tax liability for the property for the preceding year by 10%. In no event shall the purchaser's annual tax liability decrease.

(d) No later than March 1 of each year, the municipality or the participating entity on behalf of the municipality shall certify to the county clerk of the county in which the property is located a percentage southland reactivation reduction to be applied to property taxes for that calendar year, as provided this Section.

(e) The participating entity shall collect the following information annually for the pilot program period: the number of program applicants; the street address of each certified property; the proposed use of certified properties; the amount of investment; the number of jobs created as a result of the certification; and copies of the certification of each southland reactivation site to allow for the evaluation and assessment of the effectiveness of southland reactivation designation. The participating entity responsible for seeking the southland reactivation designation shall present this information to the governing body of each taxing district affected by a southland reactivation designation on an annual basis, and the participating entity shall report the above information to any requesting members of the General Assembly at the conclusion of the 5-year designation period.

(f) Any southland reactivation certification granted under this Section shall be void if the property is conveyed to an entity or person that is liable for any unpaid, delinquent property taxes associated with the property.

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

Under the rules, the foregoing **Senate Bill No. 3189**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 3197

A bill for AN ACT concerning employment.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3197

Passed the House, as amended, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3197

AMENDMENT NO. 1 . Amend Senate Bill 3197 as follows:

on page 9, line 6, after "system" by inserting "or death benefits pursuant to the Illinois Workers' Compensation Act"; and

on page 9, line 16, after "system" by inserting "or death benefits pursuant to the Illinois Workers' Compensation Act,"; and

on page 10, line 2, after "system" by inserting "or has received death benefits pursuant to the Illinois Workers' Compensation Act,".

Under the rules, the foregoing **Senate Bill No. 3197**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 3470

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3470

Passed the House, as amended, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3470

AMENDMENT NO. 1 . Amend Senate Bill 3470 by replacing everything after the enacting clause with the following:

"Section 5. The Children and Family Services Act is amended by changing Sections 5 and 35.10 and by adding Section 5.46 as follows:

(20 ILCS 505/5) (from Ch. 23, par. 5005)

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

(a) For purposes of this Section:

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

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

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

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

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

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

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

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

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

(E) placing children in suitable adoptive homes, in cases where restoration to the biological family is not safe, possible, or appropriate;

(F) assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption. At the time of placement, the Department shall consider concurrent planning, as described in subsection (l-1) of this Section so that permanency may occur at the earliest opportunity. Consideration should be given so that

if reunification fails or is delayed, the placement made is the best available placement to provide permanency for the child;

(G) (blank);

(H) (blank); and

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

(i) who are in a foster home, or

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

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

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

(b) (Blank).

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

(d) The Director may authorize advance disbursements for any new program initiative to any agency contracting with the Department. As a prerequisite for an advance disbursement, the contractor must post a surety bond in the amount of the advance disbursement and have a purchase of service contract approved by the Department. The Department may pay up to 2 months operational expenses in advance. The amount of the advance disbursement shall be prorated over the life of the contract or the remaining months of the fiscal year, whichever is less, and the installment amount shall then be deducted from future bills. Advance disbursement authorizations for new initiatives shall not be made to any agency after that agency has operated during 2 consecutive fiscal years. The requirements of this Section concerning advance disbursements shall not apply with respect to the following: payments to local public agencies for child day care services as authorized by Section 5a of this Act; and youth service programs receiving grant funds under Section 17a-4.

(e) (Blank).

(f) (Blank).

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

(1) adoption;

(2) foster care;

(3) family counseling;

(4) protective services;

(5) (blank);

(6) homemaker service;

(7) return of runaway children;

(8) (blank);

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

(10) interstate services.

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

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

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

(1) case management;

(2) homemakers;

(3) counseling;

(4) parent education;

(5) day care; and

(6) emergency assistance and advocacy.

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

(1) comprehensive family-based services;

(2) assessments;

(3) respite care; and

(4) in-home health services.

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

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

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

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

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

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

(l) The Department shall offer family preservation services, as defined in Section 8.2 of the Abused and Neglected Child Reporting Act, to help families, including adoptive and extended families. Family preservation services shall be offered (i) to prevent the placement of children in substitute care when the children can be cared for at home or in the custody of the person responsible for the children's welfare, (ii) to reunite children with their families, or (iii) to maintain an adoptive placement. Family preservation services shall only be offered when doing so will not endanger the children's health or safety. With respect to children who are in substitute care pursuant to the Juvenile Court Act of 1987, family preservation services shall not be offered if a goal other than those of subdivisions (A), (B), or (B-1) of subsection (2) of Section 2-28 of that Act has been set, except that reunification services may be offered as provided in paragraph (F) of subsection (2) of Section 2-28 of that Act. Nothing in this paragraph shall be construed to

create a private right of action or claim on the part of any individual or child welfare agency, except that when a child is the subject of an action under Article II of the Juvenile Court Act of 1987 and the child's service plan calls for services to facilitate achievement of the permanency goal, the court hearing the action under Article II of the Juvenile Court Act of 1987 may order the Department to provide the services set out in the plan, if those services are not provided with reasonable promptness and if those services are available.

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

The Department may, at its discretion except for those children also adjudicated neglected or dependent, accept for care and training any child who has been adjudicated addicted, as a truant minor in need of supervision or as a minor requiring authoritative intervention, under the Juvenile Court Act or the Juvenile Court Act of 1987, but no such child shall be committed to the Department by any court without the approval of the Department. On and after January 1, 2015 (the effective date of Public Act 98-803) and before January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 16 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, (ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. On and after January 1, 2017, a minor charged with a criminal offense under the Criminal Code of 1961 or the Criminal Code of 2012 or adjudicated delinquent shall not be placed in the custody of or committed to the Department by any court, except (i) a minor less than 15 years of age committed to the Department under Section 5-710 of the Juvenile Court Act of 1987, ii) a minor for whom an independent basis of abuse, neglect, or dependency exists, which must be defined by departmental rule, or (iii) a minor for whom the court has granted a supplemental petition to reinstate wardship pursuant to subsection (2) of Section 2-33 of the Juvenile Court Act of 1987. An independent basis exists when the allegations or adjudication of abuse, neglect, or dependency do not arise from the same facts, incident, or circumstances which give rise to a charge or adjudication of delinquency. The Department shall assign a caseworker to attend any hearing involving a youth in the care and custody of the Department who is placed on aftercare release, including hearings involving sanctions for violation of aftercare release conditions and aftercare release revocation hearings.

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

limited to, Asperger's Syndrome and autism, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

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

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

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

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

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

(1) the likelihood of prompt reunification;

(2) the past history of the family;

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

(4) the level of cooperation of the family;

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

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

(7) the age of the child;

(8) placement of siblings.

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

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

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

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

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

judicial officer as required by Section 2-9, 3-11, 4-8, or 5-415 of the Juvenile Court Act of 1987, shall have the authority, responsibilities and duties that a legal custodian of the child would have under subsection (9) of Section 1-3 of the Juvenile Court Act of 1987.

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

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

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

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

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

(o) The Department shall establish an administrative review and appeal process for children and families who request or receive child welfare services from the Department. Youth in care who are placed

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

(p) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Children and Family Services and its employees shall abide by rules and regulations established by the Illinois State Police relating to the access and dissemination of this information.

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

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

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

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

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

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

For purposes of this subsection:

"Background information" means all of the following:

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

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

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

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

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

(Source: P.A. 101-13, eff. 6-12-19; 101-79, eff. 7-12-19; 101-81, eff. 7-12-19; 102-538, eff. 8-20-21; 102-558, eff. 8-20-21.)

(20 ILCS 505/5.46 new)

Sec. 5.46. Application for Social Security benefits, Supplemental Security Income, Veterans benefits, and Railroad Retirement benefits.

(a) Definitions. As used in this Section:

"Benefits" means Social Security benefits, Supplemental Security Income, Veterans benefits, and Railroad Retirement benefits.

"Youth's attorney and guardian ad litem" means the person appointed as the youth's attorney or guardian ad litem in accordance with the Juvenile Court Act of 1987 in the proceeding in which the Department is appointed as the youth's guardian or custodian.

(b) Application for benefits.

(1) Upon receiving temporary custody or guardianship of a youth in care, the Department shall assess the youth to determine whether the youth may be eligible for benefits. If, after the assessment, the Department determines that the youth may be eligible for benefits, the Department shall ensure that an application is filed on behalf of the youth. The Department shall prescribe by rule how it will review cases of youth in care at regular intervals to determine whether the youth may have become eligible for benefits after the initial assessment. The Department shall make reasonable efforts to encourage youth in care over the age of 18 who are likely eligible for benefits to cooperate with the application process and to assist youth with the application process.

(2) When applying for benefits under this Section for a youth in care the Department shall identify a representative payee in accordance with the requirements of 20 CFR 404.2021 and 416.621. If the Department is seeking to be appointed as the youth's representative payee, the Department must consider input, if provided, from the youth's attorney and guardian ad litem regarding whether another representative payee, consistent with the requirements of 20 CFR 404.2021 and 416.621, is available. If the Department serves as the representative payee for a youth over the age of 18, the Department shall request a court order, as described in subparagraph (C) of paragraph (1) of subsection (d) and in subparagraph (C) of paragraph (2) of subsection (d).

(c) Notifications. The Department shall immediately notify a youth over the age of 16, the youth's attorney and guardian ad litem, and the youth's parent or legal guardian or another responsible adult of:

(1) any application for or any application to become representative payee for benefits on behalf of a youth in care;

(2) any communications from the Social Security Administration, the U.S. Department of Veterans Affairs, or the Railroad Retirement Board pertaining to the acceptance or denial of benefits or the selection of a representative payee; and

(3) any appeal or other action requested by the Department regarding an application for benefits.

(d) Use of benefits. Consistent with federal law, when the Department serves as the representative payee for a youth receiving benefits and receives benefits on the youth's behalf, the Department shall:

(1) Beginning January 1, 2023, ensure that when the youth attains the age of 14 years and until the Department no longer serves as the representative payee, a minimum percentage of the youth's Supplemental Security Income benefits are conserved in accordance with paragraph (4) as follows:

(A) From the age of 14 through age 15, at least 40%.

(B) From the age of 16 through age 17, at least 80%.

(C) From the age of 18 through 20, 100%, when a court order has been entered expressly allowing the Department to have the authority to establish and serve as an authorized agent of the youth over the age of 18 with respect to an account established in accordance with paragraph (4).

(2) Beginning January 1, 2024, ensure that when the youth attains the age of 14 years and until the Department no longer serves as the representative payee a minimum percentage of the youth's Social Security benefits, Veterans benefits, or Railroad Retirement benefits are conserved in accordance with paragraph (4) as follows:

(A) From the age of 14 through age 15, at least 40%.

(B) From the age of 16 through age 17, at least 80%.

(C) From the age of 18 through 20, 100%, when a court order has been entered expressly allowing the Department to have the authority to establish and serve as an authorized agent of the youth over the age of 18 with respect to an account established in accordance with paragraph (4).

(3) Exercise discretion in accordance with federal law and in the best interests of the youth when making decisions to use or conserve the youth's benefits that are less than or not subject to asset or resource limits under federal law, including using the benefits to address the youth's special needs and conserving the benefits for the youth's reasonably foreseeable future needs.

(4) Appropriately monitor any federal asset or resource limits for the benefits and ensure that the youth's best interest is served by using or conserving the benefits in a way that avoids violating any federal asset or resource limits that would affect the youth's eligibility to receive the benefits, including:

(A) applying to the Social Security Administration to establish a Plan to Achieve Self-Support (PASS) Account for the youth under the Social Security Act and determining whether it is in the best interest of the youth to conserve all or parts of the benefits in the PASS account;

(B) establishing a 529 plan for the youth and conserving the youth's benefits in that account in a manner that appropriately avoids any federal asset or resource limits;

(C) establishing an Individual Development Account for the youth and conserving the youth's benefits in that account in a manner that appropriately avoids any federal asset or resource limits;

(D) establishing an ABLE account authorized by Section 529A of the Internal Revenue Code of 1986, for the youth and conserving the youth's benefits in that account in a manner that appropriately avoids any federal asset or resource limits;

(E) establishing a Social Security Plan to Achieve Self-Support account for the youth and conserving the youth's benefits in a manner that appropriately avoids any federal asset or resource limits;

(F) establishing a special needs trust for the youth and conserving the youth's benefits in the trust in a manner that is consistent with federal requirements for special needs trusts and that appropriately avoids any federal asset or resource limits;

(G) if the Department determines that using the benefits for services for current special needs not already provided by the Department is in the best interest of the youth, using the benefits for those services;

(H) if federal law requires certain back payments of benefits to be placed in a dedicated account, complying with the requirements for dedicated accounts under 20 CFR 416.640(e); and

(I) applying any other exclusions from federal asset or resource limits available under federal law and using or conserving the youth's benefits in a manner that appropriately avoids any federal asset or resource limits.

(e) By July 1, 2024, the Department shall provide a report to the General Assembly regarding youth in care who receive benefits who are not subject to this Act. The report shall discuss a goal of expanding conservation of children's benefits to all benefits of all children of any age for whom the Department serves as representative payee. The report shall include a description of any identified obstacles, steps to be taken to address the obstacles, and a description of any need for statutory, rule, or procedural changes.

(f) Accounting. The Department shall provide an annual accounting to the youth's attorney and guardian ad litem of how the youth's benefits have been used and conserved. In addition, within 10 business days of a request from a youth or the youth's attorney and guardian ad litem, the Department shall provide an accounting to the youth of how the youth's benefits have been used and conserved. The accounting shall include:

(1) The amount of benefits received on the youth's behalf since the most recent accounting and the date the benefits were received.

(2) Information regarding the youth's benefits and resources, including the youth's benefits, insurance, cash assets, trust accounts, earnings, and other resources.

(3) An accounting of the disbursement of benefit funds, including the date, amount, identification of payee, and purpose.

(4) Information regarding each request by the youth, the youth's attorney and guardian ad litem, or the youth's caregiver for disbursement of funds and a statement regarding the reason for not granting the request if the request was denied.

When the Department's guardianship of the youth is being terminated, the Department shall provide (i) a final accounting to the Social Security Administration, to the youth's attorney and guardian ad litem, and to either the person or persons who will assume guardianship of the youth or who is in the process of adopting the youth, if the youth is under 18, or to the youth, if the youth is over 18 and (ii) information to the parent, guardian, or youth regarding how to apply to become the representative payee. The Department shall adopt rules to ensure that the representative payee transitions occur in a timely and appropriate manner.

(g) Financial literacy. The Department shall provide the youth with financial literacy training and support, including specific information regarding the existence, availability, and use of funds conserved for the youth in accordance with this subsection, beginning by age 14. The literacy program and support services shall be developed in consultation with input from the Department's Statewide Youth Advisory Board.

(h) Adoption of rules. The Department shall adopt rules to implement the provisions of this Section by January 1, 2023.

(i) Reporting. No later than February 28, 2023, the Department shall file a report with the General Assembly providing the following information for State Fiscal Years 2019, 2020, 2021, and 2022 and annually beginning February 28, 2023, for the preceding fiscal year:

(1) The number of youth entering care.

(2) The number of youth entering care receiving each of the following types of benefits: Social Security benefits, Supplemental Security Income, Veterans benefits, Railroad Retirement benefits.

(3) The number of youth entering care for whom the Department filed an application for each of the following types of benefits: Social Security benefits, Supplemental Security Income, Veterans benefits, Railroad Retirement benefits.

(4) The number of youth entering care who were awarded each of the following types of benefits based on an application filed by the Department: Social Security benefits, Supplemental Security Income, Veterans benefits, Railroad Retirement benefits.

(j) Annually beginning December 31, 2023, the Department shall file a report with the General Assembly with the following information regarding the preceding fiscal year:

(1) the number of conserved accounts established and maintained for youth in care;

(2) the average amount conserved by age group; and

(3) the total amount conserved by age group.

(20 ILCS 505/35.10)

Sec. 35.10. Documents necessary for adult living. The Department shall assist a youth in care in identifying and obtaining documents necessary to function as an independent adult prior to the closure of the youth's case to terminate wardship as provided in Section 2-31 of the Juvenile Court Act of 1987. These necessary documents shall include, but not be limited to, any of the following:

(1) State identification card or driver's license.

(2) Social Security card.

(3) Medical records, including, but not limited to, health passport, dental records, immunization records, name and contact information for all current medical, dental, and mental health providers, and a signed certification that the Department provided the youth with education on executing a healthcare power of attorney.

(4) Medicaid card or other health eligibility documentation.

(5) Certified copy of birth certificate.

(6) Any applicable religious documents.

(7) Voter registration card.

(8) Immigration, citizenship, or naturalization documentation, if applicable.

(9) Death certificates of parents, if applicable.

(10) Life book or compilation of personal history and photographs.

(11) List of known relatives with relationships, addresses, telephone numbers, and other contact information, with the permission of the involved relative.

(12) Resume.

(13) Educational records, including list of schools attended, and transcript, high school diploma, or high school equivalency certificate.

(14) List of placements while in care.

(15) List of community resources with referral information, including the Midwest Adoption Center for search and reunion services for former youth in care, whether or not they were adopted, and the Illinois Chapter of Foster Care Alumni of America.

(16) All documents necessary to complete a Free Application for Federal Student Aid form, if applicable, or an application for State financial aid.

(17) If applicable, a final accounting of the account maintained on behalf of the youth as provided under Section 5.46.

If a court determines that a youth in care no longer requires wardship of the court and orders the wardship terminated and all proceedings under the Juvenile Court Act of 1987 respecting the youth in care finally closed and discharged, the Department shall ensure that the youth in care receives a copy of the court's order.

(Source: P.A. 102-70, eff. 1-1-22.)

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

Under the rules, the foregoing **Senate Bill No. 3470**, with House Amendment No. 1, was referred to the Secretary's Desk.

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. 2981

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3036

A bill for AN ACT concerning civil law.

Passed the House, March 30, 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. 2984

A bill for AN ACT concerning State government.

SENATE BILL NO. 3050

A bill for AN ACT concerning local government.

Passed the House, March 30, 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. 3092
A bill for AN ACT concerning health.
SENATE BILL NO. 3103
A bill for AN ACT concerning State government.
SENATE BILL NO. 3108
A bill for AN ACT concerning State government.
SENATE BILL NO. 3120
A bill for AN ACT concerning employment.
SENATE BILL NO. 3130
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3132
A bill for AN ACT concerning State government.
SENATE BILL NO. 3144
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3146
A bill for AN ACT concerning employment.
SENATE BILL NO. 3149
A bill for AN ACT concerning education.
Passed the House, March 30, 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. 3156
A bill for AN ACT concerning State government.
SENATE BILL NO. 3157
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3161
A bill for AN ACT concerning employment.
SENATE BILL NO. 3163
A bill for AN ACT concerning health.
SENATE BILL NO. 3166
A bill for AN ACT concerning regulation.
SENATE BILL NO. 3174
A bill for AN ACT concerning civil law.
SENATE BILL NO. 3177
A bill for AN ACT concerning public employee benefits.
SENATE BILL NO. 3178
A bill for AN ACT concerning State government.
Passed the House, March 30, 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. 3179
A bill for AN ACT concerning State government.
SENATE BILL NO. 3184
A bill for AN ACT concerning animals.
SENATE BILL NO. 3187
A bill for AN ACT concerning local government.
SENATE BILL NO. 3215
A bill for AN ACT concerning local government.

SENATE BILL NO. 3216

A bill for AN ACT concerning transportation.

SENATE BILL NO. 3433

A bill for AN ACT concerning conservation.

SENATE BILL NO. 3459

A bill for AN ACT concerning the military.

Passed the House, March 30, 2022.

JOHN W. HOLLMAN, Clerk of the House

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment No. 2 to Senate Bill 2565
Motion to Concur in House Amendment No. 1 to Senate Bill 3005
Motion to Concur in House Amendment No. 2 to Senate Bill 3005

REPORT FROM STANDING COMMITTEE

Senator Harris, Chair of the Committee on Insurance, to which was referred **Senate Bill No. 3926**, 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 Harris, Chair of the Committee on Insurance, to which was referred **House Bill No. 5142**, reported the same back with the recommendation that the bill do pass.

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

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

Senate Amendment No. 1 to House Bill 4941

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

At the hour of 7:11 o'clock p.m., the Chair announced that the Senate stands adjourned until Thursday, March 31, 2022, at 10:00 o'clock a.m.